Fifth Series Vol. LVI - No. 12

Thursday, January 22, 1976
Magha 2, 1897 (Saka)

LOK SABHA DEBATES

(Fifteenth Session)

(Vol. LVI contains Nos. 11-22)

LOK SABHA SECRETARIAT
NEW DELHI

Price : Rs. 2.00

CONTENTS

No. 12. Thursday, January 22, 1976/Magha

	COLUMNS
Oral Answers to Questions:	
*Starred Questions Nos. 227 to 231, 233, 234, 236, 239 and 240 .	1—37
Written Answers to Questions:	
Starred Questions Nos. 225, 226, 232, 235, 237, 238 and 241 to 244	38—45
Unstarred Questions Nos. 1018 to 1074, 1076 to 1078 and 1080 to 1085	45—110
Papers Laid on the Table	111—14
Messages from Rajya Sabha	114—15
Standards of Weights and Measures Bill—	
As passed by Rajya Sabha—*Laid*	115
Public Accounts Committee—	
Hundred and Ninety-second Report presented	115—16
Election to Committees—	
(i) Central Silk Board	116
(ii) Court of the University of Delhi	117
Statutory Resolutions *Re*. Disapproval of Maintenance of Internal Security (Amendment) Ordnances, 1975 & Maintenance of Internal Security (Amendment) Bill—	
Motion to consider	118—214
Shri Md. Jamilurrahman	118—39
Shri Ram Deo Singh	139—44
Shri Nimbalkar	144—48
Shri Jagannath Rao	148—53
Shri R. V. Bade	153—54
Sardar Swaran Singh Sokhi.	154—56
Shri S. R. Damani	156—60

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

COLUMNS

Shri H. M. Patel . . . . 160—64

Shri Shyam Sunder Mohapatra . . . 164—67

Shri P. G. Mavalankar . . . . 167—74

Shri Nathu Ram Ahirwar . . . . 174—77

Shri Jagannath Mishra . . . . 177—80

Shri Syed Ahmed Aga . . . . . . 180—82

Shri K. Brahmananda Reddy . . . . . 182—202

Shri Indrajit Gupta . . . . 202—208

Clauses 2 to 7 and 1 . . . . . . 214—26

Motion to pass the Bill . . . . 226—46

Shri K. Brahmananda Reddy . . . . . 226, 238—46

Shri H. N. Mukerjee . . . . 226—31

Shri Dinesh Joardar . . . . 231—34

Shri K. M. 'Madhukar' . . . . 234—37

Shri S. M. Banerjee . . . . 237—38

Business Advisory Committee—

Fifty-eight Report presented 247

Discussion *Re.* Report of the Committee on Drugs and Pharmaceutical Industry—

Shri Ramavatar Shastri . . . . 247—54

Shri H. N. Mukerjee . . . . 254—64

Shri Amarnath Vidyalankar . . . . . . 264—69

Shri Dinen Bhattacharyya . . . . . . 269—72

Shri Shashi Bhushan . . . . 272—77

Shri P. M. Mehta . . . . 277—82

Shri Dinesh Chandra Goswami . . . . . . 282—89

Shrimati Roza Deshpande . . . . . . 289—93

Shri P. C. Sethi . . . . 293—304

LOK SABHA

Thursday, January 22, 1976/Magha 2, 1897 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

पटना में बाढ़ के कारण टेलीफोनों का खराब होना

*227. **श्री रामावतार शास्त्री :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अगस्त, 1975 में पटना नगर में आई भयंकर बाढ़ के कारण टेलीफोन खराब पड़े रहे, और

(ख) क्या टेलीफोन उपभोक्ताओं से टेलीफोन खराब रहने की अवधि का भी किराया वसूल किया गया है ?

संचार मंत्रालय में उप-मंत्री (श्री जगन्नाथ पहाड़िया) . (क) 25 अगस्त, 1975 को पटना में विध्वंसक बाढ़ आई थी । उसके कारण पटना टेलीफोन जिले के 9,995 टेलीफोन कनेक्शनों में से 6,774 टेलीफोन कनेक्शन खराब हो गए थे । ये सभी टेलीफोन धीरे-धीरे 8 नवम्बर, 1975 तक फिर से चालू कर दिये गये थे ।

(ख) जी हां ।

श्री रामावतार शास्त्री : पटना टेलीफोन जिले के कुल 9,995 टेलीफ़ोनों में से 6774 ठीक ढाई महीने तक खराब पड़े रहे । मैं यह जानना चाहता हूं कि उन के खराब रहने की अवधि में भी जो रेंट वसूल किये गये, उन की कुल राशि कितनी है । जब वे टेलीफ़ोन चालू नही थे, तो उस अवधि के लिए भी रेंट वसूल करने का क्या औचित्य है ? इस का कोई औचित्य न होने पर क्या सरकार रेंट की इस राशि को वापस करने का विचार रखती है ?

श्री जगन्नाथ पहाड़िया : यह कहना ठीक नहीं है कि टेलीफ़ोन इतने दिन तक ख़राब पड़े रहे । 25 अगस्त और 26 अगस्त की रात को बाढ़ आई । धीरे धीरे हम सेवायें उपलब्ध कराते गये । जो आवश्यक सेवाये थी, वे तो एक महीने के आख़िर तक उपलब्ध करा दी गई थी । अगर माननीय सदस्य इस बारे में डीटेल्ज जानना चाहें, तो वे मेरे पास है । कोई भी टेलीफ़ोन कनेक्शन इतने दिन तक बेकार पड़ा रहा हो, यह बात सही नही है । हां, कुछ टेलीफ़ोन कनेक्शन जरूर ऐसे थे, जिन को ठीक करने में हमें टाइम लगा । आप स्वयं जानते है कि जब यह बाढ आई, उस से एक दिन पहले पटना से 45 किलोमीटर दूर हमारी सारी ट्रांसमिशन लाइन ख़राब हो गई थी, जिस का पटना पर असर पड़ा था । हमारे कर्मचारियों ने चौबीस घंटों काम करके, अपनी जान जोखिम में डाल कर भी, कभी कभी पानी में तर कर भी, इन लाइनों को ठीक किया । हमारी यह कोशिश रही

कि आवश्यक सेवाओं को शीघ्र उपलब्ध करा दिया जाये । सरकारी टेलीफ़ोन कनेक्शन उपलब्ध करा दिये गये । डिफ़ेंस विभाग ने जो कनेक्शन मांगे, वे उपलब्ध करा दिये गये । नये एक्सचेंज स्थापित किये गये और नई लाइनें डाली गई । हम ने इस बात की कोशिश की कि श्री रामावतारशास्त्री आदि मुख्य सब्स्काइबरों के टेलीफ़ोन कनेक्शन दे दिए जायें ।

जहां तक नुक्सान का सम्बन्ध है, हम को बहुत नुक्सान हुआ । माननीय सदस्य ने किराये की बात कही है । इस में कोई नियम की बात नहीं है । थोड़े समय के लिए टेलीफोन ख़राब हो जाने पर अगर हम किराया छोडने लगें, तो कलकुलेशन में बहुत गडबड हो जायेगी, और फिर श्री रामावतार शास्त्री शिकायत करेंगे । 900 टेलीफ़ोन इन्स्ट्रूमेंटस ख़राब हैं । उन पर 5.5 लाख रुपये का खर्च हो जायेगा । वहां पर जो लाइनें ख़राब हैं, उन पर जो खर्च होगा, उसका अन्दाजा लगाना बड़ा मुश्किल है ।

श्री रामावतार शास्त्री : सरकार ने वहां पर टेलीफ़ोन व्यवस्था को ठीक किया, और कर्मचारियों ने अच्छा काम किया, उस की हम भी तारीफ़ करते है । मैं यह जानना चाहता हूं कि टेलीफ़ोन व्यवस्था को ठीक करने में सरकार को कितनी धनराशि खर्च करनी पड़ी । क्या यह सच है कि जल्दी जल्दी मे बहुत सी धनराशि का दुरुपयोग भी किया गया है ? क्या अब भी बहुत से टेलीफ़ोन ठीक से काम नहीं कर र हैं, अगर हां, तो उन्हें ठीक करने के लिए सरकार ने क्या कदम उठाये हैं ?

श्री जगन्नाथ पहाड़िया : मैंने तो पहले ही अर्ज कर दिया है कि लगभग 5.5 लाख रुपये का खर्चा हम को और करना पड़ेगा । हमारी इस बात की कोशिश रही है कि कोई भी लाइन या कनेक्शन ख़राब न हो । जहां तक धन राशि के दुरुपयोग का प्रश्न है, ऐसी कोई बात हमारे नोटिस में नहीं आई है । कई बार जल्दी में ज्यादा खर्च करना पड़ जाता है ।

Study about Rural Labour and Working Class Family Income

*228. SHRI TUNA ORAON: Will the Minister of LABOUR be pleased to state:

(a) whether Labour Bureau of Simla undertook any study under action-oriented research programme about the rural labour and the working class family income;

(b) if so, the main points of the studies made;

(c) the action taken on the basis of the studies; and

(d) the number of rural labourers and industrial workers likely to be benefited by implementation of the studies, during the Fifth Plan period?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) to (d). A statement is laid on the Table of the Sabha

Statement

(a) The Labour Bureau has in recent years, undertaken the following important studies under action-oriented research programmes about the rural labour and the working class family incomes:

(i) Rural Labour Enquiries.

(ii) Intensive Type Studies on Rural Labour.

(iii) Working Class Family Income and Expenditure Survey.

(b) The main points of the studies made are—

(i) *Rural Labour Enquiries.*—These studies will throw up information on the socio-economic conditions of rural labour households including those of agricultural labour households, and also provide a compact weighting diagram for the compilation of a new series of CPI Numbers for rural labour.

(ii) *The Intensive Type Studies.*—To throw up useful data on the various aspects of rural employment for the formulation of programmes of remedial nature with reference to employment, unemployment and under-employment in rural areas.

(iii) *The Working Class Family Income and Expenditure Survey.*—To provide weighting diagrams for compilation of a new series of Consumer Price Index Numbers on recent base *i.e.*, 1971-100 taking into account the latest consumption pattern of working class families.

(c) The following action has been taken/is proposed to be taken in respect of these studies—

(i) *Rural Labour Enquiries.*—The final detailed report in respect of the first Rural Labour Enquiry conducted during 1963-65 is already out; the Second Rural Labour Enquiry has been launched during 1974-75. The data collected during this latest enquiry are in the preliminary stages of processing.

(ii) *Intensive Type Studies on Rural Labour.*—Out of 20 selected regions, reports in respect of 11 regions have already been finalised. Reports in respect of 7 regions are being finalised in consultation with the concerned State Governments. The drafting of report in respect of the region and the general all India report is in progress.

(iii) *Working Class Family Income and Expenditure Survey.*—Before finalising the new series of index numbers (1971-100), Index Users' Conferences have been held in respect of 33 centres (out of total of 60 centres) and their new index finalised. Such Index Users' Conferences are being held/proposed to be held in respect of the remaining 27 centres. By August 1976 the whole programme is likely to be completed.

(d) The number of rural labour and industrial workers likely to be benefited by implementation of these studies during the Fifth Plan period has not been estimated. However, the CPI Numbers for Agricultural workers and industrial workers which are the end product of Rural Labour Enquiry and Working Class Family Income and Expenditure Survey, would be widely used as wage escalators/payment of D.A. of industrial as also other categories of workers in due course of time, particularly, with the new economic programme gaining momentum, benefitting more and more workers. The all India working Class CPI Numbers for industrial workers is used quite extensively not being confined to industrial workers only.

श्री टूना उरांव : मैं यह जानना चाहता हूं कि ग्रामीण श्रमिकों की सही संख्या का पता कब तक चल जायेगा, और उन की बेकारी की समस्या के समाधान के लिए सरकार कौन कौन सी स्कीमें बना रही है।

SHRI RAGHUNATHA REDDY: As I had said, the second Rural Labour Enquiry has again been launched during the agricultural year 1974-75. This Enquiry covers all the rural labour households including those classified as non-agricultural households. The different aspects covered are with regard to demographic structure, duration of employment and unemployment, labour time disposition, average daily earnings, consumption and expenditure, household income and indebtedness.

श्री कुमा उरांव : इन्टन्सिव टाइप स्टडीज के लिए जो 20 रिजन चुने गये है, वे कौन कौन से हैं ? जिन 7 रिजन्ज की रिपोटस अभी तक नही आई है, वे कौन कौन से है ?

SHRI RAGHUNATHA REDDY: Out of 20 selected regions, reports in respect of Wardha, Anantnag, Surat, Mahbubnagar, Varanasi, Gaya, Chamba, Bankura, Rewa, Hassan and Tonk have already been finalized and out of these, reports in respect of Anantnag, Surat, Tonk, Mahbubnagar, Wardha and Hassan have already been released.

SHRI VASANT SATHE: I would like to know how many years were taken to give this report and whether by now the report has already become out-dated. Now you say that a new committee has been appointed to go into making this study. How long will that take? Do you have any plant of intensive studies which will be action-oriented, on specific problems so that the studies will cover in selected areas small and marginal farmers development programme, drought-prone areas development programme and so on? Do you have any such plans in the studies that are being conducted by the Bureau?

SHRI RAGHUNATHA REDDY: These studies were undertaken by the Labour Bureau in pursuance of the recommendations of the Planning Commission and an all India Seminar on Agricultural Labour in 1965 when the Fourth Five Year Plan started. As I said, the studies were first undertaken in 1965 and the latest studies were in 1974-75. I have already mentioned the objectives. The studies were undertaken to study the nature of employment, unemployment and under-employment, to find out the extent to which the action programmes started by the government and other agencies covered employment opportunities in the rural areas, to assess the various facilities already available to the rural labour household under the different welfare programmes, the extent to which these facilities are being availed of, to study the attitude of the beneficiaries to such programme so far initiated and to facilitate the formulation of proper action programme necessary for implementation of the labour welfare facilities to the labour households.

DR. RANEN SEN: Is the Minister aware of the fact that the way in which the Simla Labour Bureau has been computing the consumer price index has been criticised by many trade union organisations, including Government committees, saying that different calculations are made by the Bureau. May I know whether the same Simla Bureau has been charged with the responsibility of computing a new series of consumer price index? Would it not be better to entrust this work to some better, more enlightened and more educated people?

SHRI RAGHUNATHA REDDY: The Labour Bureau, Simla, has been conducting this survey for a number of years. There is no need to entrust this to somebody else as they have successfully done it so far. In order to ascertain the shift since 1958-59 in the consumption pattern of the working class families in various sectors and

to ensure that the calculation of prices is in relation to the current consumption pattern, the Labour Bureau has undertaken a fresh survey of the family budget as recommended by the 26th session of the Indian Labour Conference. The survey was conducted in 60 industrial centres in 1971.

SHRI KRISHNA CHANDRA HALDER: The Minister in his reply stated that the last study was made in 1974-75. What is the average income of the working class families in the rural areas?

SHRI RAGHUNATHA REDDY: The average income now will have to be computed in terms of the recent revision of minimum wage in the rural areas. These would be available only after sufficient studies have been made.

Shortage of Postal Stationery

*229. SHRI P. G. MAVALANKAR: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are aware that acute shortage of postcards, envelopes, postage stamps, frequently, faced by the public at several Head and Sub Post Offices in various parts of the country;

(b) if so, the remedial steps taken by Government to improve the situation; and

(c) whether Government propose to set up another Printing Press for coping with the extra printing work of postal articles and stamps?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMUNICATIONS (SHRI JAGANNATH PAHADIA): (a) There has been shortage of postal stationery and postage stamps occasionally in several Post Offices in the country.

(b) Steps have been taken to avoid such shortages by procurement of sufficient quantities of paper and increasing the production capacity at the India Security Press.

(c) This is under consideration in consultation with the Ministry of Finance (Department of Economic Affairs).

SHRI P. G. MAVALANKAR: It has been admitted that there have been shortages occasionally, but does he know that the shortages are not occasional but frequent, and particularly at the time of Diwali, Puja holidays and such other festive occasions when the demand for postage stamps and postal stationery is all the more great? In view of that, will he kindly tell us what concrete steps, besides increasing the production capacity, are being taken by Government and what has been the increase in capacity in the last two years and what steps have been taken particularly to see that, at least on festive occasions, these supplies are not allowed to be depleted?

SHRI JAGANNATH PAHADIA: There were two main reasons. One was that at present postage stamps and postal stationery are obtained by the postmasters from the local treasuries, and the treasuries were not in a position to cope with their demand. This is mainly due to the fact that the treasuries do not submit their indents in time to the Controller of Stamps, so that they can receive supplies in time. Therefore, it has been decided to take over the work of indenting and supply of postage stamps and postal stationery by the Department from the State Treasuries gradually. Secondly, orders have also been issued to establish a stamp depot.

SHRI P. G. MAVALANKAR: In reply to part (c) of the question, the hon. Minister said that the proposal for an additional printing press is under the consideration of his Ministry in consultation with the Finance Ministry, but may I know at what

stage this consideration is at the moment, and whether the proposal has been finalised because the demand for postage stamps and postal stationery is rising and is going to increase rapidly in the next couple of years and is not likely to go down? Therefore, the need for a press is there. May I know whether the proposal for the printing press is going to be speeded up so that costs can be saved and the same thing can be done at a cheaper price if you do it today rather than years later?

SHRI JAGANNATH PAHADIA: It is being examined at present.

SHRI P. G. MAVALANKAR: My question is specifically pointed to the urgency of the matter. In the original answer, he has already replied that it is under consideration. I would like to know whether the consideration is urgent and active or is it just a routine consideration?

MR. SPEAKER: No supplementary to a supplementary.

SHRI K. GOPAL: The hon. Minister will agree with me that even with full availability of stationery, the selling of stamps and envelopes at the current price is not quite economic to the Department. Therefore, will the Department consider installing franking machines in important centres in the cities so that we avoid cost on paper and stamps?

SHRI JAGANNATH PAHADIA: It is a good suggestion for action.

SHRI AMRIT NAHATA: Is the hon. Minister aware that the postcard is primarily a means of communication for the poor man in the cities and villages and that is why it is perhaps being subsidised? Is the hon. Minister also aware that big commercial houses, big advertising concerns and rich people purchase postcards in thousands at a time thereby depriving the common man of his daily necessity, and will the hon. Minister take precautionary measures to avoid bulk purchase by people of this poor man's means of communication?

SHRI JAGANNATH PAHADIA: This is also a very good suggestion.

श्री विभूति मिश्र : अध्यक्ष जी, इन्होंने कहा ट्रेजरी के बजाये अपने डिपार्टमेंट में रखगे तो क्या इनके पास गांवों में जो पोस्ट आफिस और सब-पोस्ट आफिस हैं उनकी डिमाण्ड लिस्ट है कि कितने पोस्टकार्ड, लिफाफे और टिकट खर्च करते हैं और उसके अनुसार यह सप्लाई करने की पोजीशन में है या नही ?

श्री जगन्नाथ पहाड़िया : जी हां, एक अन्दाज तो रहता ही है। जितना काम होता रहता है उसी हिसाब से हम अपनी डिमांड भेजते रहते है प्रेस को।

Implementation of Plantation Labour Act

*230. SHRI H. N. MUKERJEE: Will the Minister of LABOUR be pleased to state:

(a) whether Government are aware that the violation of welfare measures under the Plantation Labour Act by tea garden management has become a regular feature in Jalpaiguri District in West Bengal; and

(b) if so, the steps Government propose to take to bring the management to task and implement the Plantation Labour Act?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) A number of cases of violation of Plantation Labour Act, mainly relating to construction of labour houses, maintenance of canteens and creches

and establishment of group hospitals in the District of Jalpaiguri were brought to the notice of Government of West Bengal. State Governments administer the Plantation Labour Act, 1951.

(b) 157 prosecution cases have been launched against 87 defaulting tea estates in the District of Jalpaiguri for the violation of Plantation Labour Act. A sum of Rs. 49,870 has so far been realised as fine.

SHRI H. N. MUKERJEE: Has Government made sure in co-operation with the State Government that these welfare measures do not continue to be violated with impunity by the owners, as at present?

SHRI RAGHUNATHA REDDY: We had drawn the attention of the State Government to this aspect. The hon. Member knows that the Plantation Amendment Bill also had been introduced to tighten the provisions of the law and it had been passed on to the Joint Committee It will be shortly coming up for discussion in this House.

SHRI H N. MUKERJEE: May I know if the Government has taken any steps to prevent long-term damage to the productivity of these plantations account of many omissions and commissions on the part of the owners of these plantations?

SHRI RAGHUNATHA REDDY: The State Government is aware of this problem.

SHRI DINEN BHATTACHARYYA: The Minister has given some figures regarding the cases that have been launched against some management in respect of violation of the existing Plantation Act and other acts. May I know actually in how many cases the management has, in any way, been punished or in how many cases any judgment has been given against the management and how many cases have been disposed of, because the Government itself did not take any interest to represent the workers' cause or take steps against violation?

SHRI RAGHUNATHA REDDY: This information contained about 157 prosecution cases. 157 prosecution cases had been launched against the defaulting tea estates in the district of Jalpaiguri. As a result of it, a fine of Rs. 49,870 has been collected. This is the information that I have got from the State Governments. I do not have any further information. If the hon. Member desires any further information, I can collect it.

SHRI DINEN BHATTACHARYYA: You can collect it.

SHRI R. S. PANDEY: In order to improve the conditions of the plantation labourers, Bhatt Committee was appointed by Parliament. May I know if a report has been submitted by the Committee?

SHRI RAGHUNATHA REDDY: I presume that the Committee to which the hon. Member had referred to is a Joint Committee. The Committee has submitted its report and I think the hon. Member must be having a copy of it.

श्री तुना उरांव : मैं जानना चाहता हूं कि जलपाईगुड़ी के किन किन चाय बागान में स्कूल नहीं हैं और किन किन चाय बागान में मनोरंजन की सुविधाएं नहीं दी गई हैं ?

SHRI RAGHUNATHA REDDY: I do not have the details.

Standing Committee on Agricultural Labour

*231. SHRI SAKTI KUMAR SARKAR: Will the Minister of LABOUR be pleased to state:

(a) the composition and the term of reference of the standing committee on agricultural labour;

(b) whether any programme of organising agricultural labour through provision of productive employment has been formulated by the committee;

(c) if so, the outlines thereof; and

(d) the action being taken on these issues?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) to (d). A statement containing the composition and the terms of reference of the Standing Committee on Agricultural Labour and action taken by the National Labour Institute in compliance with decisions of the Committee is placed on the Table of the House. [*Placed in Library See* No LT-10203/76]

SHRI SAKTI KUMAR SARKAR: From the answer placed on the Table of the House, it seems that a Committee was formed by the Government. It is not possible for this Committee to sit off and on. May I know how many times the Committee sat on the problems, what is the result and what advice the Committee has given to the Ministry of Labour regarding agricultural labourers who are mostly landless?

SHRI RAGHUNATHA REDDY: This standing committee consists of members who are experts and also officials of the Government jointly to advise on various aspects concerning the agricultural labour. Therefore, the Committee cannot naturally meet very often. It meets occasionally for the purpose of dealing with the subject. On the advice of the Committee, the Committee decided in one of its meetings that the bonded labour should be abolished as a result of which you find that the abolition of bonded labour is one of the points in the 20-point economic programme of the Prime Minister. The Bill has already been passed by the Rajya Sabha and it is awaiting consideration by this House.

SHRI SAKTI KUMAR SARKAR: In their study, it is seen that one village called Bananabegram in West Bengal has been taken into consideration. But the initial answer given is discouraging. In the answer it is stated that now efforts are being made to develop productive employment schemes and programmes for thees people in collaboration with various Government agencies.

As regards the rural indebtedness which has been mentioned in the 20-point economic programme, I want to know whether the objective study of the Committee has taken that into consideration and, if so, what is the result of the study made. May I also know what is the outcome of the declaration of liquidation of rural indebtedness and whether it has made any effect on agricultural production?

SHRI RAGHUNATHA REDDY: With regard to the improvement of a particular area, I am told that some efforts are being made now. With regard to rural indebtedness, the Committee generally considered the question of minimum wages and recommended that minimum wages must be revised in rural areas. The State Governments have taken steps in the matter. With regard to the specific matter of rural indebtedness, it is a matter that falls within the purview of the State Governments and the State Governments have taken action in this regard.

SHRI H. N. MUKERJEE: I have been looking at the composition of the standing committee. Except for one person, there is no one representing the interests of agriculturists. It is only a combination of officers and a few economic experts. I do not understand how the Government expects this Committee functioning as it has been for so long to do anything about organising agricultural labour through provision of productive employment and all that particularly in the context of the 20-point economic programme which requires a great deal of mobilisation of our agricultural resources in men and materials. How can the composition of this Committee in its manner of functioning help at all?

SHRI RAGHUNATHA REDDY: With great respect to the hon. Member, I do not want to go into the analysis of the qualifications of the members of this Committee. I can assure the hon Member that all the members of this Committee are fully aware of the problems of agricultural labour. For instance, Shri Panna Lal Das Gupta who comes from West Bengal is a member of the Planning Commission there Similary, there are many sociologists and economists and also officers dealing with this problem.

SHRI P VENKATASUBBAIAH: Since most of the agricultural labour is seasonal in character, there is unemployment in most part of the year and there is a continuous exodus of agricultural labour to cities, creating problems there, may I know whether this committee has gone into the problem of providing employment or devising ways and means of providing gainful employment in the villages where there are no agricultural operations?

SHRI RAGHUNATHA REDDY: This is not a new problem which is being posed. This is a prepetual problem that affects the agricultural labour in rural areas. This a problem that has to be tackled on many fronts. This Committee alone will not be able to deal with it though this Committee is also seized of the problem and they are, perhaps, asked to make some study.

Central Aid to Maharashtra for National Highways

*233. SHRI SHANKERRAO SAVANT: Will the Minister of SHIPPING AD TRANSPORT be pleased to state:

(a) what amounts were demanded as Central aid by Government of Maharashtra for National Highways and what were released by the Centre during 1973-74, 1974-75 and 1975-76 (upto December, 1975);

(b) whether Government are aware that the continuous reduction in the Central aid has upset the programme of the State Government; and

(c) whether adequate Central aid will be given at least during 1975-76?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH) (a) to (c) A statement is laid on the table of the Sabha

STATEMENT

(a) The requirements projected by the Government of Maharashtra at the final allotment stage and the funds allotted after scrutiny and excluding in admissible items during the last 2 years were as follows:—

Year	Requirements projected	Funds allotted
	Rs inlakhs	
1973-74 . . .	1175·02	931·00
1974-75 . .	741·00	710·00

Final allotments to the State Governments including Maharashtra,

during 1975-76 will depend on the State Governments final requirements to be received in February/Early March, 1976 on the basis of actual progress of works The allocation to Maharashtra for development of National Highways upto December 1975 was, however, Rs. 584.00 lakhs.

(b) With the comparative smaller allocations resulting from the current financial stringency, the implementation of the programme for the development of National Highways in almost all the States including Maharashtra has no doubt slowed down to some extent.

(c) The Central Government is fully alive to the requirements of National Highways in Maharashtra and are trying to provide as much funds as possible. With this end in view it has already been decided to enhance the allocation of Maharashtra from Rs. 584 lakhs to Rs. 628 lakhs during 1975-76.

SHRI SHANKERRAO SAVANT: The reply to part (a) of the Question is incomplete. May I know what was the demand of the State Government for 1975-76?

SHRI DALBIR SINGH: Regarding the year 1975-76, I do not think specifically this arises out of it;....

MR. SPEAKER: Have you got information with regard to the demand of Maharashtra for the year 1975-76?

THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON): Though it is a specific question, in January 1975, Maharashtra Government forwarded an estimate of Rs. 134.07 lakhs for the development of West coast. It was scrutinised and sanctioned for Rs. 117.27 lakhs and by this time already Rs. 50 lakhs have been released for the repair and development of the West coast which passes through Colaba district.

SHRI SHANKERRAO SAVANT: The projected increase in the allotment of 628 lakhs during 1975-76 clearly shows that the allotment for the year will be less than the allotment for the last year. In view of the windfall on the receipt side due to increase in income-tax earnings, will the Government think of increasing this projected allotment further to keep up the tempo of work in the State?

SHRI DALBIR SINGH: Due to the financial constraints, it will not be possible during this year to increase the amount.

Increase in Industrial and Occupational Diseases

*234. SHRI DHAMANKAR: Will the Minister of LABOUR be pleased to state:

(a) whether incidence of industrial and occupational diseases is significantly increasing in the country over the past three years; and

(b) if so, what preventive, protective and curative measures have been taken?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) The number of cases of poisoning and diseases notified under section 89 of the Factories Act was 14, 19 and 17 in 1971, 1972 and 1973 respectively.

(b) Safety, Health and Welfare of factory workers is regulated by the provisions of Factories Act, 1948 and State Rules framed thereunder. State Governments administer the Factories Act and the rules framed thereunder. The Central Labour Institute and the Regional Labour Institutes extend professional assistance in the study and solution of industrial health problems.

SHRI DHAMANKAR: In his reply, the Minister has said that there were only 14, 19, and 17 cases of poisoning

and diseases notified under Section 89 of the Factories Act in 1971, 1972 and 1973 respectively. But for the last two years, the expansion of chemical industries has been causing great damage to the respiratory organs and digestive system not only of the labour working there, but also of the people staying around those factories. There are small units which are not covered by the Factories Act but still they can do enough damage to the labour and the people staying around. In that context, I would like to know, whether any survey or study for proper assessment of the incidence of industrial and occupational diseases in selected industries to the labour and people in the adjoining areas has been made during the recent years and if so what are the main findings of the study industry-wise, particularly wtih respect to important industries such as chemical industries and whether the Government has seriously considered the observations of the study group and taken appropriate measures to check effectively occupational hazards and diseases to the labour working there and the people staying around the factories.

SHRI RAGHUNATHA REDDY: The Factories Act is administered by the State Governments and the State Governments collect information and whenever it is necessary, the Central Labour Institute and the Regional Labour Institutes extend assistance in this matter for the purpose of dealing with this matter. The figure which I have given had been obtained from various State Governments and compiled. Other information will have to be collected. The suggestion made by the hon. Member with respect to the study of hazards in the chemical industries would certainly be considered and taken up and I will ask the Labour Institute to study this problem and come forward with suggestions.

SHRI DHAMANKAR: I have followed the answer of the hon. Minister. What about the people who live round about these industries and suffer? For instance, in Chembur at Bombay, the fertiliser factories and other factories are causing demage to the respiratory organs and digestive system of the people living there. What steps do the Government propose to take in that respect?

MR. SPEAKER: That he has answered, that he will ask that matter to be studied.

SHRI K. LAKKAPPA: The problem of environmental diseases in areas where these large-scale factories are functioning has assumed a large proportion and an alarming situation has developed in various States, and mainly, it is due to air pollution and water pollution. There are committees which have been formed, even in this House, to tackle this menace. In that connection, I would like to know whether this Ministry has taken up any investigation in accordance with the Air and Water Pollution Committee's recommendations in order to assess the situation and to take necessary remedial measures, and also what steps have been taken in order to relieve the difficulties of the labour?

SHRI RAGHUNATHA REDDY: The question put by the hon. Member falls within the realm of physiology and environmental pollution study and I am only dealing with factory law. So, I am not in a position to answer this general question.

SHRI DINEN BHATTACHARYYA: May I put a specific question?

Most of the rayon factories in the country are mainly under the management of the big business houses like the Birlas and so many complaints were lodged by the people both with the State Governments as well as with the Central Government and a mass petition by thousands of workers has already been filed here in the Lok Sabha, that no step has yet been taken

as to the minimum measures which could protect the health of the rayon workers who are always dealing with these chemical products. May I know what the Minister has uptill now done with regard to these complaints?

SHRI RAGHUNATHA REDDY: The question put by the hon. Member is a general question. If the hon. Member puts a specific question....

SHRI DINEN BHATTACHARYYA: This has arisen out of your reply.

SHRI RAGHUNATHA REDDY: If the hon. Member can put a specific question, I will find out.

SHRI DINEN BHATTACHARYYA. I have already put it.

He is a Labour Minister in charge of labour. He must know.

MR. SPEAKER: He wants notice.

SHRI DINEN BHATTACHARYYA: You kindly follow the answer he has given now and then judge whether I can put this question. All that he has claimed is that he does not know and he occupies the chair of Labour Minister here.

MR. SPEAKER: Let us pass on to the next question.

SHRI M. RAM GOPAL REDDY: He has wasted the time of the House.

MR. SPEAKER Shri B R. Shukla —not here.

AN HON. MEMBER: He has authorised me to put the question.

SHRI BHAGWAT JHA AZAD: That is not permissible at this stage.

MR. SPEAKER: Chaudhary Nitiraj Singh.

Average Number of Waiting Days per Ship

*236. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the average number of waiting days per ship have increased in India during the last three years;

(b) if so, reasons therefor; and

(c) whether the above average is more than world average?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Yes, Sir.

(b) The average is arrived at taking the number of waiting days of Food & Fertilizer vessels along with other vessels. The increase is mainly explained by the waiting days of Food & Fertilizer vessels. The reasons are

(i) Increase in import of foodgrains, fertilizers and its raw materials.

(ii) Limitations of clearance by FCI and supply of railway wagons by Railway for movement of foodgrains and fertilizers.

(iii) At some of the ports, bunching of food and fertilizer vessel arrivals contributing to rise in pre-berthing detention.

(c) It is difficult to make comparison between ports in one country and another since the conditions vary from port to port; ports in developing countries are generally with labour intensive set ups and those in developed countries are equipped with highly modern mechanised handling facilities. In many ports in the world like Persian Gulf Ports, the waiting periods are sometimes as high as three months per vessel whereas in developed countries where fully

mechanised operations of loading and unloading are carried out, detentions may be lower. Liner conference lines impose congestion surcharges at ports where the pre-berthing detentions are high. At present, various conferences have imposed congestion surcharges at various West Asian Gulf Ports but all Indian Major Ports are free from such surcharge.

Schemes for mechanized handling of bulk commodities like iron ore, foodgrains, fertilizers, coal etc. are being progressively implemented taking into account availability of financial resources and these will help in reducing detention time of ships at our ports.

MR. SPEAKER: If the answer to a question happens to be long, it is adviseable to lay it on the Table. Chaudhary Nitiraj Singh.

SHRI NITIRAJ SINGH CHAUDHARY: I am not in a position to ask any supplementary unless I have full details.

SHRI BHAGWAT JHA AZAD: The hon. Member is prefectly right, Sir.

SHRI INDRAJIT GUPTA: Chaudhury Nitiraj Singh does not want to ask any question? In that case, you please permit me.

MR. SPEAKER: Is Mr. Nitiraj Singh Chaudhary not asking any further question?

I think it is advisable, if the answer is long, to give it in the form of a statement so that the Member can study it.

SHRI NITIRAJ SINGH CHAUDHARY: Can I expect that the question may be postponed to some other day?

THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON): I am sorry for the answer being a bit long.

SHRI INDRAJIT GUPA: I would like to know whether since the emergency there has at all been any improvement in this matter? We are constantly reading official reports to the effect that the efficiency of loading and unloading operations in all the major ports has greatly increased after the emergency and setting up of task forces and so on. I would like to know whether the average number of waiting days has shown any trend towards reduction since the emergency? The hon. Minister referred particularly to the bottle-neck caused by the Food Corporation in not clearing its commodities from the godowns What steps have been taken in co-operation with the Food Ministry and the Food Corporation to see that this jamming by the Food Corporation is not likely to continue after the times of emergency?

SHRI H. M. TRIVEDI: As far as the first part of the question is concerned there is considerable improvement—the approximate figures are as follows:—

	Port	Period	Days
Average detention of general Cargo vessels.	Calcutta	July—Dec. 74	1·71
		January—June	1·1
		July—December 75	0·4
	Bombay	July—Dec. 74	2·54
		January—June 75	1·51
		July—Dec. 75	0·75

Port	Period	Days
Madras	(These are monthly figures)	
	December, 74	1·1
	June, 75	0·7
	December, 75	0·5

It is true that we have been urging and taking several steps so that the Food Corporation clears the transit sheds. But the Food Corporation has also been faced with certain difficulties—railway wagons non-availability, trucks non-availability, shortage of storage facilities and poor off-take by the State Govrnments. These are the four major difficulties which the Food Corporation has also been facing. I cannot say that we have succeeded in attaining the rate of clearance out of the ports to the extent to which we would really like.

SHRI NITIRAJ SINGH CHAUDHARY: May I know if the shortage of berths is responsible for the long waiting days: If so, what steps the Government have taken to increase the number of berths in all ports and if not, why not?

SHRI H. M. TRIVEDI: Actually, the answer can be in three parts. Firstly, the separation of bulk cargo, from general cargo is being attempted by creating major facilities for mechanised handling of bulk cargos at several ports. In terms of available berths for general cargos, much depends upon the extent to which berth usage is, in fact, effective. Therefore, one has to judge in relation to each port—the total volume being handled at that port, bulk cargos having been separated and then whether the need for berth arises.

SHRI S. R. DAMANI: The hon. Minister said about the details of the period of over-waiting. May I know whether any account is maintained for amount paid as compensation for these over-waiting periods? If that is so, may I know whether it is paid in foreign exchange or Indian currency?

SHRI H. M. TRIVEDI: I am not clear what he is referring to....

SHRI S. R. DAMANI: I am referring to extra compensation. Have you paid extra compensation for over-waiting in respect of the vessels in the matter of unloading?

SHRI H. M. TRIVEDI: It is called demurrage. I don't have the figure ready here. I will collect the information.

श्री नरसिंह नारायण पांडे : क्या माननीय मंत्री जी का इस बात की जानकारी है कि फूड डिपार्टमेंट ने इस बात की शिकायत की है कि चीनी का जो निर्यात होता है, उस के लिए शिप में जगह नहीं मिल पाई और काफी मात्रा में चीनी पोर्ट पर ही पडी रह गई। इस के लिए मंत्रालय ने क्या इन्तज़ाम किया और क्या फूड डिपार्टमेंट की तरफ से ऐसी कोई शिकायत आप को मिली, यदि मिली थी तो आप ने क्या एक्शन लिया ?

SHRI H. M. TRIVEDI: We have not had any complaint about sugar shipments being delayed because of non-availability of space on ships.

SHRI NARSINGH NARAIN PANDEY: This was replied to in the Lok Sabha.

Unemployment

*239. SHRI VASANT SATHE: Will the Minister of LABOUR be pleased to state:

(a) whether the unemployment of educated and uneducated is rising at an alarming rate and that the employment targets in private and public sectors have remained largely unfulfilled over the past three years;

(b) whether Government have formulated an integrated and coordinated plan of action on the recommendations of Bhagavati Committee to meet unemployment problem; and

(c) if so, the facts and achievements thereof?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) to (c). A statement is laid on the Table of the House.

Statement

Precise estimates of unemployment in the country are not available. However, the number of job-seekers borne on the Live Register of Employment Exchanges (all of whom are not necessarily Unemployed) has been on the increase over the past few years but the rate of increase has slowed down since 1973. No employment targets, as such, were fixed for the public or private sectors over the past three years.

The recommendations in the final report of the Bhagavati Committee were examined by an Inter-Ministerial Working Group set up by the Planning Commission and the recommendations of the Committee alongwith the views of the Working Group thereon were forwarded to the concerned Ministries/Department for necessary action. So far the final views of the concerned Ministries on the recommendations and details of action taken on the recommendations have been received in respect of 173 out of a total of 221 recommendations made by the Committee in its report. It has been reported that the steps being taken or proposed to be taken as part of the Fifth Plan are generally in line with the recommendations of the Committee, subject to the availability of financial resources.

The remaining recommendations are being vigorously followed up with the concerned Ministries by an 'Empowered Committee' consisting of representatives of the Planning Commission, Ministry of Industry and Civil Supplies (Department of Industrial Development), Ministry of Agriculture and Irrigation (Department of Agriculture), Ministry of Finance (Department of Economic Affairs) and the Ministry of Labour.

SHRI VASANT SATHE: I would like to know this. In view of the fact that unemployment both of educated and uneducated categories is growing, what are the steps taken particularly in view of the 20 point programme to have agro-service centres? This was the scheme which was thought of for some time, agro-service centres, where educated people could be employed as well as uneducated people, but skilled personnel, which would provide service to the people in the rural areas, provide employment as well as serve as catalytic agent. What are the measures taken in this regard?

SHRI RAGHUNAHTA REDDY: One of the points in the 20 point economic programme is to find employment for these apprentices and now about one lakh and odd places were found for them and more than 96 per cent of the seats are being filled up by this apprentice programme. This is one of the aspects of relieving unemployment in respect of educated young men. The hon. Member is fully aware about the general problem of unemployment. While there is increased economic activity in defferent sectors as a result of execution of various development schemes in successive 5 year plans,

we have taken steps to provide more and more employment to aprentices in various categories.

SHRI VASANT SATHE: I asked about agro-service centre schemes, aimed at providing employment to both educated people, people in technical spheres as well as uneducated but skilled people. What has happened to that?

SHRI RAGHUNAHTA REDDY: I will collect the information.

MR. SPEAKER: You now ask your second question.

SHRI VASANT SATHE: My second question is: in the light of the experience which the Maharashtra Government had in providing the employment guarantee for the unemployed people which was so highly successful even during the drought-affected period, I would like to know whether he will take some advantage of that pattern and extend it to the other States also? If so, what is your opinion about this?

SHRI RAGHUNAHTA REDDY: No doubt, Maharashtra Government has come forward with a very well-meaning scheme. But this scheme cannot, immediately, be implemented in the other States. This is a matter to which government's attention has been drawn.

SHRI H. M. PATEL: To the Minister the question that was put was whether unemployment is rising at an alarming rate but the reply given in his statement simply says that a precise estimate of unemployment figure is not available. The number of job seekers is increasing. This is all that he has to say. I would like to know why is it that he has no idea whatsoever regarding the quantum of unemployment in the country. Is it not running in terms of millions and is on the increase? Is that not alarming? If so, how rapid is the rate of the increase?

SHRI RAGHUNAHTA REDDY: Why I said that precise figures are not available are because of these reasons—the Unemployment Committee which had been appointed for the purpose to go into this question said that the Committee could not ascertain the figures precisely; in the same manner, even the Dantwala Committee said that it was not possible to ascertain the figures in terms of mathematical exactitude. Therefore, I do not like to make a statement which would go contrary to the very learned statements made by various Committees. Nevertheless, in the year 1972, the number of employment exchanges was 453 and 68.96 lakhs were on the live register; in 1973, the number of employment exchanges was 464 while 82.18 lakhs were on the live register; in 1974, the number of employment exchanges was 481 while the number of the live register was 84.83 lakhs. In 1975, upto June, the number of employment exchanges was 500 while the number on the live register was 87.92 lakhs. These would give an indication of the figures. If the figures are needed by the hon. Member, I can give them.

श्री श्रोंकार लाल बेरवा : मैं मंत्री महोदय से जानना चाहता हूं केन्द्रीय सरकार की तरफ़ से राज्यों के अन्दर टेक्नीकल ट्रेनिंग सेन्टर, पोलिटेक्नीक और आई० टी० आई० चल रहे हैं और उन में लड़के शिक्षित हो कर बेरोजगार फिर रहे हैं, तो क्या केन्द्रीय सरकार ऐसा आदेश देगी कि पहले जिन्होंने परीक्षा पास की है उन को लगाया जाय ? और यदि नहीं, तो बेकारी भत्ता उन को दिया जाय ?

SHRI RAGHUNAHTA REDDY: Of the technical training centres, very few are under Central Government; quite a number of them are

under the State Governments. Nevertheless, as I sumbitted in the beginning in my reply, one of the important points in the 20-point economic programme is the apprenticeship scheme and the employment for apprentices was considered and these people have been trained in the technical institutes and are being given places in various factories as apprentices and we have done a good job of it.

SHRI S. M. BANERJEE: As far as this information is concerned, the magnitude of unemployment is assuming such a position that it has now gone over one crore. Even in the Employment Exchange it has gone upto 40 lakhs. I would like to know one thing. Whenever we raised a question about unemployment doles, we were told that a huge amount was required and Government was not in a position to do so. I wish to know whether the Labour Minister would recommend to government that at least a portion of the money—the huge amount of black money—which they have unearthed now—should go towards solving the unemployment problem if given as unemployment doles.

SHRI RAGHUNATHA REDDY: At present there is no such proposal with Government

SHRI M RAM GOPAL REDDY: I want to know from the Government whether the unemployment number is rising or the number of new persons that are entering this field is rising: the population is rising and, if the population is rising at this present rate, is he in a position to solve the unemployment problems at least in his lifetime?

MR. SPEAKER: He has answered that question.

SHRI M. RAM GOPAL REDDY: Not answered,

MR. SPEAKER: Next question.

Eye Diseases in the Rural Areas of the Country

*240. SHRI P. GANGADEB: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether there has been high incidence of eye diseases in rural areas of the country, particularly in children;

(b) if so, whether any fresh steps have been taken recently to fight blindness; and

(c) if so, the salient features thereof?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH) (a) Yes, Sir.

(b) and (c) A statement containing the required information is laid on the Table of the Sabha.

Statement

Steps taken to fight Blindness and the salient features thereof

1 In order to reduce the incidence of blindness in children due to nutritional deficiencies, a programme for the distribution of Vitamin 'A' has been launched. It will cover about 8.7 million of the 100 million children at risk by the end of March, 1976.

2. A national Trachoma Control Programme has been in operation since 1963. About 140 million population in 1805 blocks of the various States and Union Territories has already been covered under that Programme. The programme has eliminated about 5 per cent of blindness in the population covered by avoiding blinding complications of Trachoma.

3 Government have been successful in bringing Smallpox to the 'zero' level in July, 1975. This has taken care of about 3 per cent of the blinds.

4. Cataract operations have been conducted by various medical institutions. About 5-6 lakh operations are being done annually.

5. To meet the requirement of man-power for the prevention of blindness about 300 Eye specialists, and 100 Ophthalmic assistats are being trained in various medical colleges, district hospitals, Eye Hospitals and Eye Camps.

6. A National Plan for Control and Prevention of Visual Impairment and Blindness has been formulated. Under that Plan, it is *inter-alia* proposed that all primary health centres in the country should be equipped, in phases, to—

(a) provide a base for Ophthalmic health education in the field of eye care;

(b) screen the cases requiring specialised Ophthalmic care;

(c) render treatment for minor ailments of the eye; and

(d) provide for Ophthalmic health services particularly to the school-going children.

It is also proposed to strengthen district/taluka hospitals, set up mobile Ophthalmic units, regional institutes and the National Institute of Ophthalmology.

SHRI P. GANGADEB: In view of the fact that there is a very high incidence of eye diseases in the rural areas of our country, may I know whether the assistance of international organisations is sought, and if so, in what way it has been reciprocated?

DR. KARAN SINGH: As I have said in my statement, we are now trying to evolve a national plan for the prevention of visual impairment and blindness. We are in touch with WHO in this regard: certain other international agencies for dealing with blindness have also indicated that if we are to take up a major programme of this nature, they would perhaps be able to help us. So we are exploring the possibility of international assistance.

SHRI P. GANGADEB: May I further ask whether there is any eye research centre in India; and if so, what are their activities in this regard, specially about the complicated trachoma disease and the chief medicines that are required to be supplied to the village population of our country?

DR. KARAN SINGH: A large number of Institutes in India deal with treatment; of course, many of them do research. In Delhi itself, in the All India Institute of Medical Sciences we have the Dr. Rajendra Prasad Centre for Ophthalmic Science where they are doing a good deal of research into various things including trachoma and also the more sophisticated and complicated retinular detachment, and the possibility of the utilisation of laser for that. So a good deal of research is being done.

SHRI BHAGWAT JHA AZAD: From the statement, I find that the entire burden of fighting blindness in the country is on a plan that has been formulated of about Rs. 13 crores. May I know if this plan is approved by the Planning Commission, and it is just on paper? Also along with this, in the Fourth Plan, what amount is being given to the Ministry by the Planning Commission so far, whether it falls short of what they have promised or is it still lagging behind far more?

DR. KARAN SINGH: The position is as follows: In the Fifth Plan, that is, the current Plan, we have about Rs. 40 lakhs a year for the national trachoma prevention programme which is being paid to us. However, we have, as the hon member has rightly said, formulated a much more comprehensive plan of development which is likely to cost about Rs. 13 crores. The plan is at present before the Planning Commission. We have not received a single paisa more than what we were getting, but we are still fighting for it and we hope that we will be able to get at least something.

श्री सरजू पांडे : क्या मंत्री महोदय को मालूम है कि पूरे देश में सिर्फ बच्चों को ही नहीं बड़े लोगों को भी रात में

दिखाई नहीं देता है जिसे रतौंधी कहते हैं। उस को दूर करने के लिए सरकार क्या कार्यवाही कर रही है?

डा० कर्ण सिंह : जो नाइट ब्लाइंडनेस है कई स्थानों में इस प्रकार की घटनायें होती हैं और उस का भी कोई न कोई सम्बन्ध उन की न्यूट्रिशनल डेफ़िशियेंसी से होता है। तो हम देख रहे हैं और जो पौष्टिक आहार का कार्य-क्रम हमने रखा है उस से नाइट ब्लाइंडनेस को भी लाभ पहुंचने की आशा है।

SHRI H. N. MUKERJEE: In view of an official report, which we had some years ago, that 18,000 infants go blind every year on account of protein shortage, may I know if Government has any specific scheme to see to it that our infant population is not subjected to the danger of losing their eye sight or having it very seriously impaired?

DR KARAN SINGH. Yes, Sir unfortunately, it is true that thousands of children go blind every year as a result of vit. A deficiency. For that, as I have said in the first paragraph of my statement, we have now developed a vit. A solution which if given in a does of only two spoons a year is stored in the liver and that will obviate vit A deficiency for many years.

SHRI INDRAJIT GUPTA. Where is it available?

DR. KARAN SINGH: It is now available in the primary health centres. We have already covered 9 million children this year. There are 100 million children in the country and we hope to expand the programme in order to cover the entire population by the end of the Sixth Plan.

WRITTEN ANSWERS TO QUESTIONS

Introduction of New Technologies in the Field of Telecommunication

*225. SHRIMATI PARVATHI KRISHAN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether vast developments are taking place and new technologies are being introduced in telecommunication net work in India;

(b) if so, the broad outlines thereof; and

(c) whether India is a part of the Asian Telecom highway covering 14 countries from Iran to Indonesia?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b). New technologies are becoming available for exploitation in the field of Telecommunications at a very rapid rate. In the area of switching, the newest technologies are computer controlled electronic switching for local trunk and telephone exchanges, digital switching, and so on. In the field of long distance transmission equipment the latest technologies include Pulse Code Modulator, Data Transmission, Time Division technique, Coaxial and microwave systems, troposcatter and satellite communications.

The Ministry of Communications is continuously exploring the possibility of exploring these technologies for use as well as for gradual indigenous manufacture.

We already have Coaxial Cable and Microwave systems. Studies are going on in the area of electronic and digital switching, troposcatter system, satellite communication, etc.

(c) Yes, Sir.

Merchant Navy Training Establishments

*226. SHRI M. KALYANSUNDRAM: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether an expert committee of the Ministry is examining the feasibility of introducing structural changes in the management of merchant navy training establishments; and

(b) if so, the main features thereof?

THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON): (a) Yes, Sir.

(b) The main recommendations of the Working Group which considered the question of setting up an autonomous body to manage the Merchant Navy Training Institutions are:—

(i) The management of the Merchant Navy Training Institutions for officers should be entrusted to an autonomous body.

(ii) The autonomous body should be called the National Institute of Maritime Training & Research (NIMTR) which may be rtgistered under the Societies' Act as a Literary Scientific and Charitable Society.

(iii) The management of the affairs of the National Institute of Maritime Training & Research should be entrusted to a "National Council" the Apex Body, with the Minister of Shipping and Transport as its Chairman.

(iv) To meet additional expenditure·

(1) The Government of India should increase its present contribution,

(2) suitable contributions on a continuous annual basis may be raised from Shipowners, Major ports, Shipbuilding and Ship-repairing Yards, Ancillary industries connected Ship-building & Ship repairing and all State Governments.

Teleprinter Service dues of Samachar Bharati News Agency

*232. SHRI JHARKHANDE RAI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the amount due for teleprinter service from Samachar Bharati News Agency; and

(b) the steps being taken to recover the dues?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA). (a) Rs. 2.12 lakhs.

(b) Efforts through correspondence have continuously been made to reduce the arrears against M/s. Samachar Bharati. They were also permitted to clear their dues in 10 instalments. When they failed to pay, service of 11 circuits was withdrawn in November and December, 1975, after serving them with registered notices for default in payment of over-due bills. For other circuits notices have been served for payment of outstanding bills, failing which services may be withdrawn.

Construction of Road Bridge at Ghograghat

*235. SHRI B. R. SHUKLA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the estimated cost of construction of the road bridge over Ghogra river at Ghograghat (U.P.) has been calculated; and

(b) whether Uttar Pradesh Government have recommended its inclusion in the national plan?

THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON): (a) The cost of the bridge as estimated by the Government of Uttar Pradesh is Rs. 5 crores.

(b) The State Government have included this bridge in their proposals for Central financial assistance under the Central Aid Programme of State roads/bridges of inter-State or economic importance during the Fifth Plan. As a final decision on this programme is yet to be taken, it is premature to indicate the position at this stage. In addition, the State Government also, *inter-alia*, proposal inclusion in the National Highway System in the Fifth Plan of a road link to Nepalganj which might cover this bridge also. In view of the current financial stringency, however Government are unable to take over any new road as a National Highway at present.

Proposal for Peace and Security Conference of Afro-Asian or Non-Aligned Nations

*237. SHRI SHASHI BHUSHAN: Will the Minster of EXTERNAL AFFAIRS be pleased to state:

(a) the reaction of the Government of India to the European Peace and Security Conference in Helsinki; and

(b) whether Government propose to have a Peace and Security Conference of Afro-Asian countries or Non-Aligned nations?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) The Government of India have welcomed the successful conclusion of the European Conference on Security and Cooperation in Helsinki, and expressed the hope that the process of detente and cooperation will also extend to other parts of the world.

(b) No, Sir.

Steps to discourage Commercialisation of Blood Donation in the Country

*238. SHRI YAMUNA PRASAD MANDAL: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether more than 65 per cent of blood donation comes from commercial donors; and

(b) if so, the steps proposed to discourage the commercialisation of blood donation in the country?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. KARAN SINGH): (a) Yes, Sir.

(b) To discourage the commercialisation of blood,

(i) a complete ban has been imposed on the export of all human blood and blood products except gamma globulin and human serum albumin obtained from human placenta;

(ii) a scheme for grant-in-aid to voluntary agencies to promote the utilisation of voluntary donors for blood has been introduced; and

(iii) a scheme of licensing of all blood banks and amending the Indian Pharmacopoeia for laying down standards is being formulated.

भारत-चीन वार्ता संबंधी प्रस्ताव

*241. श्री शंकर दयाल सिंह : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या संयुक्त राष्ट्र संघ की हाल ही की बैठक के समय उनकी चीनी प्रतिनिधि से बातचीत हुई थी; और

(ख) क्या चीन अथवा भारत की ओर से निकट भविष्य में बातचीत करने का कोई प्रस्ताव है ?

विदेश मंत्रालय में उप-मंत्री (श्री बिपिनपाल दास) : (क) जी, नहीं ।

(ख) इस समय ऐसा कोई सुझाव नहीं है ।

Statement by Australian Prime Minister on Indian Ocean

*242. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Australian Prime Minister has said that it was unrealistic to say that Indian Ocean should be a zone of peace in which no warships could sail; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) The Government have seen a report to this effect.

(b) Our position on the question of the Indian Ocean is well-known. We are convinced about the urgency and necessity to make the Indian Ocean a zone of peace. The overwhelming majority of the littoral and hinterland States have accepted this concept and are working for its realization.

पूर्व अफ्रीकी देशों में भारतीयों के साथ व्यवहार

*243. श्री मूल चन्द डागा : क्या विदेश मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यूगाण्डा, कीनिया, तंजानिया जैसे पूर्व अफ्रीकी देशों में भारतवासियों के साथ उन देशों के नागरिकों के समान व्यवहार नहीं किया जाता है ; और

(ख) यदि हां, तो इस संबंध में सरकार द्वारा क्या कदम उठाये जा रहे हैं ?

विदेश मंत्रालय में उप-मंत्री (श्री बिपिन पाल दास) :

(क) और (ख): किसी देश में रहने वाले गैर-राष्ट्रीक वहीं के नागरिकों के समान विशेषाधिकार की अपेक्षा तो नहीं कर सकते फिर भी यह सुनिश्चित करने का हम बराबर प्रयास करते रहे हैं कि अन्य विदेशी राष्ट्रिकों के मुकाबले भारतीय राष्ट्रिकों के प्रति किसी भी देश में भेद भाव का व्यवहार न किया जाये । हमें इस आशय की कोई रिपोर्ट नहीं मिली है कि किनिया को छोड़ कर इन देशों की सरकारों द्वारा हाल में कोई ऐसा कानून लागू किया गया है जो भारतीय राष्ट्रिकों के प्रति प्रमुख रूप से भेद-भाव रखने वाला हो ।

कीनिया की सरकार ने अभी हाल ही में एशियाई देशों के यात्रियों पर पासपोर्ट होने पर भी प्रतिबंध के आदेश जारी किए हैं । हमने दिल्ली में तथा अपने हाई कमीशन के माध्यम से नैरोबी में भी यह मामला कीनिया की सरकार के साथ उठाया है कि भारतीय राष्ट्रिकों के प्रति ऐसे प्रतिबंध जो भेद-भाव रखने वाले हैं और दोनों देशों के मैत्री संबंधों के अनुरूप नहीं हैं, उठा लिए जायं । कीनिया सरकार की प्रतिक्रिया की प्रतीक्षा की जा रही है ।

Reduction of Shipping Rate by Carmohan Lines

*244. SHRI D. D. DESAI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether the CARMOHAN Lines have agreed to reduce their shipping

rates for freight loaded from Indian ports; and

(b) if so, an outline thereof?

THE MINISTER OF SHIPPING AND TRANSPORT (DR. G. S. DHILLON): (a) and (b). The Karmahom Conference has not announced any reduction in the basic freight for cargo loaded from Indian ports to the ports in the U.K. and the Continent. However the Conference has, since the reopening of the Suez Canal, effected certain downward revision in the quantum of Suez Surcharge, Bunker Surcharge and Currency Adjustment Factor.

कपड़ा उद्योगों पर भविष्य निधि की बकाया राशि

1018. श्री हुकम चन्द कछवाय : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार द्वारा अपने नियंत्रण मे लिये गये कपड़ा उद्योगों पर वर्ष 1972-73, वर्ष 1973-74 और वर्ष 1974-75 में भविष्य निधि की कितनी राशि बकाया है ; और

(ख) ब्याज सहित इस राशि को वसूल करने के लिये सरकार ने क्या कार्यवाही की है ?

श्रम मंत्री (श्री रघुनाथ रेड्डी) : भविष्य निधि प्रधिकारियों ने निम्न प्रकार सूचित किया है :—

(क) वस्त्र-उद्योगों से भविष्य निधि अशंदानों की बकाया राशि निम्नानुसार है :—

वर्ष	राशि
	रुपये
1972—73	1192 लाख
1973—74	1063 लाख
1974—75	1045 लाख

जिसमें से, 31—10—1975 को, रुग्न वस्त्र उपक्रम (राष्ट्रीयकरण) अधिनियम 1974 के अधीन सरकार के अन्तर्गत ली गई कपड़ा मिलों से 769.39 लाख रुपयों की राशि शेष थी।

(ख) 31—10—1975 को सरकार द्वारा अपने अन्तर्गत ली गई रुग्ण कपडा मिलों के बारे मे कर्मचारी भविष्य निधि और परिवार पेंशन निधि अधिनियम 1952 की धारा 8 के अन्तर्गत 68 मामलों में वसूली प्रमाणपत्र जारी किए गए। अधिनियम की धारा-14 के अधीन 84 मामलों म अभियोजन शुरु किए गए है।

Working of Cross-Bar Exchanges in Bombay Telephones and Maharashtra Circle

1019. SHRIMATI ROZA DESHPANDE Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number of cross-bar exchanges in Bombay Telephones and in Maharashtra circle and whether these cross-bar exchanges are working satisfactorily; and

(b) the number of times the cross-bar equipment such as register couplers were modified and remodified from the date they were commissioned in Bombay Telephones and Maharashtra?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) There are eight cross-bar exchanges under the Bombay Telephones and one in the rest of Maharashtra The performance of these exchanges is generally satisfactory. Some modifications in the equipment have been carried out and others are in progress on completion of which

these exchanges are expected to work better.

(b) The inadequacies in the performance of the crossbar exchanges noticed after their commissioning were examined in detail. Modification of some important circuits including register couplers has been undertaken. Initially the modifications aimed at correcting the inadequacy of the system to carry high traffic. Certain inadequacies relating to contact protection, which were noticed after the equipment had been in operation for some time, are currently being rectified.

Involvement of Panchayats in Family Planning Programme

1020. PROF. NARAIN CHAND PARASHAR: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state·

(a) whether the Panchayats are being involved in the Family Planning Programme at the village level in the various States; and

(b) the steps taken by Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) The following steps have been taken by Government in this regard:—

(i) Suitable guidelines have been issued by the Government of India to all State Governments on 5th September, 1974 for the involvement of Panchayats and Panchayati Raj Institutions in the national family planning programme. The programme implies greater coordination between Health and Family Planning authorities and Community Development and Panchayati Raj organisations from the national level downwards especially at the field level where the impact of the services is to yield results. Therefore specific patterns of organisations at the national, state, district and block levels have been suggested. Illustrative list of activities in which Panchayati Raj and Social Institutions can usefully engage themselves has also been suggested to the State Governments.

(ii) A grant-in-aid of Rs. 50,000 has been sanctioned to the All Panchayat Parishad, New Delhi for setting up of a Family Planning Cell whose functions will, among other things, be to ensure coordination between Panchayati Raj Institutions and Government agencies for implementing the programme.

(iii) An inter-departmental coordination group headed by Joint Secretary and Commissioner Family Planning, in which representation has been given to the Department of Rural Development, the Department of Social Welfare and the Ministry of Information and Broadcasting has been set up in the Union Department of Family Planning to watch the progress of work in this regard.

Applications received for new Telephone connections from various towns of Karnataka

1021. SHRI S M. SIDDAYYA· Will the Minister of COMMUNICATIONS be pleased to state.

(a) how many applications have been received upto 31st December, 1975 for telephone connections in Bangalore city, Mysore city and other towns in Karnataka State; and

(b) by which time, they will all be given phone connections?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b). The number of applications received upto 31-12-75 for telephone connections is as follows:—

	OYT:	Non-OYT	Total
(i) Bangalore city	1476	12470	14946
(ii) Mysore city	101	1054	1155
(iii) Other towns in Karnataka	90	5580	5670

It is expected that all applicants under OYT category will be given connections by the end of 1976 and the applicants under the Non-OYT categories will be provided gradually as and when the exchange capacity permits.

सैगौन से भारतीयों का निष्कासन

1022. **डा० लक्ष्मीनारायण पांडेय** : क्या **विदेश** मंत्री यह बताने की कृपा करेंगे कि :

(क) सैगोन से कितने भारतीय अब तक भारत में आ चुके है और निकट भविष्य में कितने और आने की सम्भावना

(ख) क्या उनको सगोन से निष्कासित किया गया है ; और

(ग) इन्हे आश्रय तथा अन्य सुविधायें देने के लिये सरकार ने क्या कदम उठाये है ?

विदेश मंत्रालय में उपमंत्री (श्री विपिनपाल दास) :

(क) 368 भारतीय राष्ट्रिक, जिनमें उनके आश्रित भी शामिल थे, 1 और 8 जनवरी 1976 को मद्रास पंहुचे । आश्रितों को शामिल करके लगभग 150 भारतीयों के निकट भविष्य में भारत आने की आशा है ।

(ख) जी, नहीं ।

(ग) ये भारतीय राष्ट्रिक हवाई जहाज से मद्रास आए थे और जिसने जहां चाहा वह वहां चला गया । उन्हे पनाह आदि की आवश्यकता नहीं थी । लेकिन पारगमन के समय विदेश तथा पुनर्वास मंत्रालय, भारतीय रेड क्रास सोसाइटी और राज्य सरकार के पुनर्वास विभाग के प्रतिनिधि उन्हे लिवाने गए थे और उनकी देखभाल रखी थी ।

Foreign Bases in Indian Ocean

1023. SHRI SAMAR GUHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether, besides Diego Garcia base of USA, any other off-shore or along the shore bases, military or otherwise, have been set up by any other foreign power in the area of Indian Ocean; and

(b) if so, the facts thereabout?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). According to the statement prepared by the U.N. Secretary General with the assistance of a group of experts, the U.K., France and the U.S.A. have several naval and military facilities

in the Indian Ocean. The details of these facilities are as follows:—

U.K. (i) Air base and radio communication station at Gan and Hitadoo Islands (Maldives);

(ii) Air base in Masirah (Muscat);

(iii) Airport facilities as well as naval communication facilities in Mauritius.

France Military and naval base at Djibuti (in the territory of the afars and the Issas) and Radio Communication Station in La Reunion.

U S A Aparat from facilities in Diego Garcia, (i) Radio Communication Station at North West Cape (Australia) (ii) Military and Communication Station at Asmara (Ethopia), and (iii) Satellite tracking facilities at Mahe (Seychelles)

विदेशों से प्राप्त डाक्टरी डिग्रियों की मान्यता समाप्त किया जाना

1024. श्री जनेश्वर मिश्र : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने विदेशों मे प्राप्त डाक्टरी डिग्रियों की मान्यता समाप्त करने का निर्णय लिया है ; और

(ख) क्या उक्त निर्णय के अन्तर्गत विदेशों मे डाक्टरी पढ़ रहे छात्रों को वापस बुलाने की योजना भी है ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (श्री ए० के० एम० इसहाक): (क) जी नहीं । मान्यता प्राप्त मेडिकल कालेजों से अर्हताएं प्राप्त करने वाले भारतीयों डाक्टरों को स्थाई रजिस्ट्रेशन की सुविधा समाप्त करने की ब्रिटेन की जनरल मेडिकल कौंसिल द्वारा 22 मई, 1975 को घोषणा किए जाने के बाद ही ब्रिटिश मेडिकल अर्हताओं को हाल ही में भारतीय चिकित्सा परिषद अधिनियम 1956 की द्वितीय सूची में से निकाल दिया गया है। फिर भी, इन अर्हताओं को तीसरी सूची के भाग 2 में शामिल कर दिया गया है ताकि यदि भारतीयों के पास ये अर्हताएं हों तो केवल उनके मामले में ही इन्हे मान्य समझा जाता रहे ।

(ख) जी नही ।

Proposal for Collective Security System to make Indian Ocean a Peace Zone

1025 SHRI SARJOO PANDEY: Will the Minister of EXTERNAL AFFAIRS be pleased to state

(a) whether Pakistan and Sri Lanka had asked the littoral and hinterland States of the Indian Ocean area to commit themselves to the system of collective security to make the Indian Ocean a peace zone; and

(b) if so, the reaction of the Government of India thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS) (a) In the Joint communique issued in Colombo on December 19, 1975 at the end of the visit of Pakistan Prime Minister Mr. Z A Bhutto, Pakistan and Sri Lanka agreed that the "concept of the Indian Ocean peace zone must be supplemented by a commitment by the littoral and hinterland States to a system of universay collective security..."

(b) There have been several proposals in the U N. Committee on the Indian Ocean on various aspects of implementation of the U.N. Resolution on the establishment of a Zone of Peace in the Indian Ocean. In our view the crux of the problem is the growing foreign military presence in the area which inevitably causes tension and big power rivalries and we feel that

all efforts of the littoral and hinterland States should, as a matter of priority, be directed towards the early elimination of such presence.

Direct Trunk Dialling System between New Delhi and Bhubaneswar

1026. SHRI ARJUN SETHI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the time by which the direct trunk dialling system will start functioning between New Delhi and Bhubaneswar; and

(b) the steps taken in this regard?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b) Subscriber Trunk Dialling between Bhubaneshwar and Delhi is expected to be commissioned during the year 1976-77. Work is in hand for installation of equipment for making available the required number of circuits for this purpose.

Minimum Wages for Bidi Workers

1027. SHRI S. N. SINGH DEO: Will the Minister of LABOUR be pleased to state:

(a) the outlines of implementation of decisions regarding the payment of minimum wage to bidi workers in the States, State-wise; and

(b) the number of the *bidi* workers in the country, State-wise?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) It was agreed in the State Labour Ministers' Conference held on September 27-28, 1974 that the minimum rates of wages in the Bidi industry would be revised further within the range of Rs. 4.50 and Rs. 5.00 for rolling 1000 bidis. A statement showing the present position of wage rates in the bidi industry in various States is laid on the Table of the House. [Placed in Library. See No. LT-10204/76.]

(b) The available information with respect to bidi workers employed in industrial premises is as follows:—

State/Union Territory	No of bidi workers
Andhra Pradesh . . .	2,17,529
Gujarat	2,345
Tripura	319
Maharashtra . . .	2,71,160
Tamil Nadu . . .	26,679
Pondicherry . .	44
Kerala	29,084
Assam	1,200
Bihar	9,357
Orissa	5,264
Madhya Pradesh Uttar Pradesh West Bengal	Not available

Production of Triple Antigen by West Bengal Government

1028. DR. RANEN SEN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether West Bengal Government plan to produce triple antigen at the Health Department's Vaccine Institute in Eastern Calcutta; and

(b) if so, what is the Central Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No.

(b) Does not arise.

National Malaria Eradication Programme

1029. SHRI M RAM GOPAL REDDY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state

(a) whether financial constraints faced by the National Malaria Eradication Programme has resulted in the deterioration of malaria situation in the country; and

(b) if so, the remedial measures proposed to be taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE) (a) Financial constraint is one of the factors faced by the National Malaria Eradication Programme alongwith other factors which are responsible for the set back in the malaria situation in the country.

(b) A statement indicating the remedial measures taken/proposed to be taken by the Government is enclosed.

Statement

ACTION TAKEN/PROPOSED TO BE TAKEN FOR ERADICATION OF MALARIA FROM THE COUNTRY

1. Two Committees of experts have reviewed the National Malaria Eradication Programme in 1974 The first Committee, inter alia. recommended that since it was not possible to achieve the goal of complete eradication of malaria in the country in the near future, the immediate objective be made as "Effective Malaria Control". The second Committee endorsed in principle the above recommendation and suggested a new strategy based on a realistic appraisal of the position namely, classification of different parts of the country according to the malaria incidence, previous malaria studies, etc. and adopting suitable strategy for each category. Based on these recommendations, a revised strategy for malaria operations is being formulated.

2. Urban malaria scheme has been taken up in 28 towns where malaria is problem. The scheme shall be extended to other towns depending upon the availability of funds.

Recurrence of Malaria in the Country

1030. SHRI SOMNATH CHATTERJEE: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether there is recurrence of Malaria in the country;

(b) if so, the areas particularly affected by this disease; and

(c) the steps taken to eradicate Malaria from the country?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE) (a) and (b). Yes, the following areas are particularly affected by the disease.

1. Andhra Pradesh
2. Gujarat
3. Haryana
4. Karnataka
5. Madhya Pradesh
6. Maharashtra
7. Orissa
8. Punjab
9. Rajasthan
10. Uttar Pradesh

(c) A Statement indicating the action taken by Government to control Malaria in the country is enclosed.

Statement

Action taken/Proposed to be taken for control of Malaria in the country

1 Two Committees of experts have reviewed the National Malaria Eradication Programme in 1974. The first Committee, inter alia, recommended that since it was not possible to achieve the goal of complete eradication of malaria in the country in the near

future, the immediate objective be made as 'Effective Malaria Control". The second Committee endorsed in principle the above recommendation and suggested a new strategy based on a realistic appraisal of the position namely, classification of different parts of the country according to the malaria incidence, previous malaria studies, etc. and adopting suitable strategy for each category. Based on these recommendations, a revised strategy for malaria operations is being formulated.

2. Urban malaria scheme has been taken up in 28 towns where malaria is a problem. The scheme shall be extended to other towns depending upon the availability of funds.

Survey by D.T.C. to meet demand of Buses

1031. SHRI R. S. PANDEY. Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether any survey has been conducted by D.T.C to make an assessment of buses to meet the demand of the public; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH). (a) and (b) A comprehensive traffic and transportation study had been conducted by the Central Road Research Institute in 1969 at the instance of the Metropolitan Tran port Team of the Planning Commission. In view of this D.T.C has not made a separate survey.

Procurement of Raw Materials for Mini Steel Units

1032. SHRI M. KATHAMUTHU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government are working out strategy for procuring essential raw materials for the 192 licensed mini-steel units; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b). The essential raw materials for electric furnace units are melting scrap and power. There is no shortage at present of scrap and power.

The total number of mini steel plants licensed/registered is 202. Considering that adequate scrap may not be available for these units in the long run, certain steps have been initiated for production of sponge iron within the country. Action has also been taken to ensure availability of power and other inputs like Graphite Electrodes and Ferro Alloys.

Khetri Copper Mines

1033. SHRI S. M. BANERJEE: Will the Minister of STEEL AND MINES be pleased to state:

(a) at what stage is the Khetri Copper Mines work; and

(b) the time it would take to get the project completed?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) The Mines at Khetri Copper Project are at present producing about 2500 tonnnes of copper ore per day

(b) The copper circuit viz. Concentrator, Smelter and Electrolytic Refinery are already in operation.

The Wire Bar Casting Plant is facing certain commissioning difficulties Efforts to overcome the same are in progress.

In the Fertilizer Circuit, Sulphuric Acid Plant has been commissioned and Triple Super Phosphate Plant has also been completed. Trial runs are expected to be taken up shortly for Phosphoric Acid Plant.

Sudan for Maintaining Indian Ocean and Red Sea Area as Zone of Peace

1034. SHRI K. M. 'MADHUKAR'. Will the Minister of EXTERNAL AFFAIRS be pleased to state whether India and Sudan have agreed that the Indian Ocean and Red Sea area should be zone of peace free from foreign military bases?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS)· Yes, Sir The Joint Communique issued at the conclusion of the State visit of the President of India, Shri Fakhruddin Ali Ahmed, to the Sudan from December 7—11, 1975, stated that the Indian Ocean and the Red Sea area should be a zone of peace, free from foreign military bases, great power rivalry and tensions The Presidents of India and the Sudan called for renewal of efforts by all to achieve this objective and agreed to work for its early realisation.

Opening of a Seamen's Employment Office in South

1035 SHRI KRISHNA CHANDRA HALDER· Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government are aware that large number of seamen are from South India;

(b) whether the absence of Seamen's Employment Office in the South is causing them great inconvenience; and

(c) whether Government are considering the proposal to open such an office in the South?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M TRIVEDI): (a) There are about 4,200 seamen hailing from South India, out of the total number of seamen of 41,000 employed on foreign going vessels

(b) No, Sir. At present all seamen employed on foreign going vessels are registered at Bombay and Calcutta only. The majority of Seamen from South hail from Kerala. The signing off and signing on of a ship's crew is normally done at a terminal port like Bombay. The Seamen from South also find it easier to report to Bombay because of transport facilities Accommodation for stay prior to signing on is also easier in Bombay.

(c) No, Sir,—in the circumstances explained

Recognition to National Union of Seafarers of India

1036. SHRI MOHAMMAD ISMAIL· Will the Minister of SHIPPING AND TRANSPORT be pleased to state whether the Director General Shipping, Government of India is considering the question of recognition to National Union of Seafarers of India?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H M TRIVEDI) The National Union of Seafarers of India, Bombay and the National Union of Seamen of India, Calcutta have already been recognised There is no other proposal under consideration

Reinstatement of Employees in TISCO

1037 SHRI BHOGENDRA JHA· Will the Minister of LABOUR be pleased to state the latest position with regard to the reinstatement of employees in T.I.S C O. (Jamshedpur, who had been removed from service?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): The matter falls essentially in the State Sphere.

Sargipalli Lead Project

1038. SHRI CHINTAMANI PANIGRAHI: Will the Minister of STEEL AND MINES be pleased to state the progress made in the work of Sargipalli Lead Project in Orissa?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): The Hindustan Zinc Ltd., Udaipur, a public sector undertaking, who have been entrusted with the work of development of the lead ore deposits in Sargipalli (Orissa), have prepared a project report for development of the mine and establishment of beneficiation facilities. The report is presently under consideration of the Government.

Accumulation of "Blue Dust" in Bailadila Iron Ore Complex

1039. SHRI C. K. CHANDRAPPAN: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether a large quantity of "blue dust" has accumulated in Bailadila iron ore complex and there is no buyer for it; and

(b) whether Government propose to set up any sponge iron plant there so that the "blue dust" could be utilised economically?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) About 7 million tonnes of iron ore fines, generated during the course of mechanised mining, have accumulated at Bailadila. Sale of raw fines/blue dust from Bailadila is not economically viable.

(b) Proposals for economic utilisation of Bailadila fines/blue dust through pelletisation are under consideration.

Allotment of Chemical/Chemical By Products to Small Scale Industrial Units

1040. SHRI RAMACHANDRAN KADANNAPPALLI: Will the Minister of STEEL AND MINES be pleased to state whether the Hindustan Steel Ltd. (Fertilizer & Chemical Division) has formulated any scheme to give priority for allotment of chemicals/chemical by-products to the small scale industrial units, to be run by the educated unemployed under Governments crash scheme to rehabilitate educated unemployed on priority basis?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): No, Sir.

Distribution Policy of Hindustan Steel Limited (Fertilizer & Chemical Division)

1041. SHRI S. K. RAI: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Hindustan Steel Ltd. (Fertilizer & Chemical Division) had relaxed its distribution policy in 1971, in order to help unemployed graduates on priority basis; and

(b) if so, the number of unemployed graduates alongwith their names and addresses, who have been accommodated since the relaxation came into force?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) No, Sir. However, the Company decided in 1971 to give encouragement in the matter of appointment of distributors for their fertilizers to unemployed agriculture graduates who were financially sound and could handle the distributorship independently.

(b) The information is being collected and will be laid on the Table of the House.

Debt Relief to Low Income Group of Urban Labourers

1042. SHRI B. R. SHUKLA: Will the Minister of LABOUR be pleased to state whether Government have taken or propose to take any measures to give debt relief to low income group of urban labourers analogous to rural labourers?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): Details of the proposed legislation to provide for relief from indebtedness to industrial workers are being worked out.

All India Conference of Textile Workers held in Bombay

1043 SHRI M KATHAMUTHU. Will the Minister of LABOUR be pleased to state

(a) whether an All India Conference of textile workers was held in Bombay in November, 1975; and

(b) whether Government have taken decision on the recommendations of that Conference?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) and (b). Presumably reference is to the All-India Conference of Textile Workers at Bombay from November 21—23, 1975, which is reported to have discussed workers' participation in management in the textile industry, the question of lock-out, retrenchments, lay-offs, withdrawal of the bonus ordinance, etc. Government have seen some reports about this conference.

Steps to provide Postal, Telegraph and Telephone Facilities to the Villages of Gujarat

1044. SHRI D. D. DESAI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the number of villages in Gujarat where (i) postal; (ii) telegraph and (iii) telephone facilities are not available; and

(b) the steps being taken to provide these facilities?

THE MINISTER OF COMMUNICATIONS (DR SHANKER DAYAL SHARMA) (a) Postal.—There are 18275 villages in Gujarat out of which 12311 (67.4 per cent) are having daily postal delivery. 2658 (14 16 per cent) tri-weekly. 1213 (6.6 per cent) bi-weekly. 1617 (8.8 per cent) weekly and 476 (2.6 per cent) at an interval of over a week. All the villages are thus having postal facilities

Telecom—Telegraph facilities are not available in 17554 villages and telephone facilities are not available in 18120 villages

(b) **Postal** —Action is being taken to increase the postal facilities by providing daily delivery of letters in more villages.

Telecom —Telephone and telegraph facilities are generally provided only when the proposals are financially viable but in order to extend the facilities to rural, backward and hilly areas in the country, a liberal policy is followed for providing the facility provided that a prescribed minimum percentage of the annual recurring expenditure would be met from the likely revenue. Places for which this concessional policy is applied includes District/Sub-divisional/Tehsil and Block Headquarters, remote areas, thickly populated villages, tourist and pilgrim centres, irrigation and power project sites, etc.

Direct Trunk Dialling facilities in important cities of Gujarat

1045. SHRI D. D. DESAI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether direct trunk dialling facilities exist between important cities of Gujarat; and

(b) if not, when such facilities are going to be provided?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) Yes, Sir. Direct dialling facilities are already available on the following routes from important cities:

1. Ahmedabad to Gandhinagar, Baroda, Surat. Nadiad, Rajkot, Bombay, Delhi and Poona.
2. Gandhinagar to Ahmedabad, Bombay, Poona and Surat.
3. Rajkot to Ahmedabad.
4. Baroda to Ahmedabad and Surat.
5. Surat to Ahmedabad, Baroda, Bombay, Poona and Gandhinagar.
6. Nadiad to Ahmedabad.

(b) In addition, provision of STD on the following routes has been planned for completion in the 5th Five Year Plan:—

1. Jamnagar to Ahmedabad and Rajkot.
2. Bhavnagar to Ahmedabad and Rajkot.
3. Dhoraji to Rajkot.
4. Veraval to Rajkot.
5. Mehsana to Ahmedabad.

Development of Communication Facilities

1046. SHRI DHAMANKAR:
SHRI VASANT SATHE:

Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government have formulated a special plan for speedy development of communication facilities in the backward regions of the country;

(b) if so, the outlines of the plan State-wise for 1975-76 and 1976-77 and Maharashtra State in particular;

(c) whether financial/technical assistance for development of communication facilities in the country has been sought from foreign countries/organisations; and

(d) if so, the nature thereof?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) and (b). During the years 1975-76 and 1976-77, it is proposed to invest about Rs. 14.5 crores and Rs. 16.5 crores respectively for telecommunication and postal facilities in hilly areas and backward areas in the country. While in other areas, these facilities are provided only if the projects are financially viable, special concessions are made for hilly areas and backward areas. In backward areas, the revenue has to be at least 15 per cent of the expenses. This revenue limit is further relaxed to 10 per cent in the case of hilly areas.

Separate State-wise allocations of the investments indicated have not been made. The proposals from all the Circles are examined in accordance with the loss criteria mentioned above.

(c) and (d). Financial assistance in the form of credits and loans has been obtained from the World Bank, International Development Agency

(IDA) and Canadian International Development Agency (CIDA) from time to time. The funds obtained in this manner are used for import of telecommunication equipment and raw materials and components for the departmental factories and the Public Sector Undertakings.

Technical assistance is also obtained in the form of training facilities, instruments, equipment, etc. under United Nationals Development Programme, Colombo Plan, etc

Integrated Programme of Health cover and Family Planning

1047. SHRI DHAMANKAR: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government have identified areas for implementation of an integrated programme of health cover and family planning;

(b) if so, broad outlines of the areas so identified;

(c) plan formulated for population control and provision of health cover; and

(d) nature of special efforts, innovative measures proposed to make family planning a success?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Yes, as envisaged in the Draft 5th Plan document, Health and Family Planning programmes are being implemented in an integrated manner. The unipurpose workers employed earlier under the Malaria, Smallpox, Family Planning and Trachoma programme are being given reorientation training so as to convert them into multi-purpose workers.

(c) The family planning programme aims at bringing down the crude birth rate which was about 35 at the beginning of the Fifth Plan to about 30 by the end of the Plan. The continuing improvement in the health standards is expected to bring down the death rate from about 15 at the beginning of the Fifth Plan to about 13 by the end of the Plan. The national growth rate of population is thus expected to drop from about 20 per cent per annum at the beginning of the Fifth Plan to about 1.7 per cent by the end of the Plan.

The health care is covered under the Minimum Needs Programme the targets laid down under which are as follows:—

(i) One Primary Health Centre for each Community Development Block.

(ii) One Sub-centre, each serving a population of 10,000.

(iii) Deficiencies in buildings for P. H. Cs. and Sub-centres, and in equipment in the present P H Cs to be removed in a coordinated manner.

(iv) Drugs worth Rs 12,000 per annum per P H C. to be provided.

(v) Drugs worth Rs 2,000 per annum per Sub-centre to be provided.

(vi) One out of every 4 P.H.Cs. to be upgraded to a 30 bedded Rural Hospital.

(d) The following measures are proposed to be adopted to make family planning a success:—

(a) A crash programme for implementation of family planning with intensive efforts through introduction of some incentives and disincentives is being examined.

(b) Infrastructure at the Taluka level and Primary Health Centres is being strengthened so as to reach the rural masses.

(c) Multi-purpose Workers' Scheme is being implemented and under this scheme one female Multi-purpose Worker is proposed to be provided for 8,000 population as against one for 10,000 population approved earlier.

(d) In the urban areas, Post-Partum is being strengthened and these services are now available at a majority of the district hospitals.

(e) A differential approach with an emphasis on investment on younger couples rather than couples which have already a large family, has been recommended to the State Governments.

(f) Steps have been taken to tighten the supervisory and administrative control to ensure fullest utilisation of the man-power and also to weed out the slow and indifferent workers.

Location of Sub-post Offices in Private Houses in Karnataka

1048. SHRI S. M. SIDDAYYA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) how many sub-post offices in Mysore city are located in rented buildings and what is the rent paid to each of them; and

(b) whether there is a proposal to have Government buildings to locate them?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA): (a) Out of a total of 33 Sub Post Offices, 29 are in rented buildings. The rent being paid in each case is indicated in a statement which is laid on the Table of the House.

(b) Land has been acquired for two of these Post Offices and the construction is likely to start in one case in 1977-78 and in the other after 1977-78.

Statement

Name of Post Offices	Monthly rent
	Rs.
1. Ashokapuram	75
2. Chamarajapuram	130
3. Chamundi Extn.	200
4. Devraj Mohalla	230
5. Food Technology	100
6. Iringere	160
7. Jyotinagar	50
8. K. M. Puram	100
9. K. R. Mohalla	90
10. K. R. Circle	517·42
11. Laskhmipuram	350
12. Mandimohalla	100

Name of Post Offices	Monthly rent
	Rs.
13. Metagalli	Rent Free
14. Mysore Fort	250
15. Manasagangotri	500
16. Jayalaxmipuram	400
17. Mysore Law Courts	36
18. Mysore University	10
19. N. R. Mohalla	200
20. Nazarabad Mohalla	70
21. New Bannimantap Extn.	75
22. Ramanuja Road	75
23. K. R. Mills	Rent Free
24. Tilaknagar	45
25. V. V. Market	160
26. V. V. Mohalla	220
27. Vidyaranyapur	150
28. Yadavagiri Extn.	100
29. Industrial Subweb	110
TOTAL . . .	4503·42

मध्य प्रदेश में डाक, तार एवं टेलीफोन सुविधायें

1049. **डा० लक्ष्मीनारायण पांडेय :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश में देश के विभिन्न राज्यों की तुलना में डाक, तार एवं टेलीफोन की सुविधाएं सबसे कम है ; और

(ख) यदि हों, तो इन सुविधाओं को बढ़ाने हेतु सरकार ने क्या कार्रवाई की है ?

संचार मंत्री (डा० शंकर दयाल शर्मा): (क) **डाक** · अन्य अधिकाश राज्यों की तुलना में इस राज्य में डाक सुविधायें अपेक्षाकृत कम है ।

दूरसंचार : 31/12/75 को मध्य प्रदेश में 325 टेलीफोन एक्सचेंज और 253 सार्वजनिक टेलीफोनघर थे । हालांकि संख्या की दृष्टि से कुछ अन्य राज्यों की अपेक्षा ये संख्याएं अधिक है फिर भी आबादी या क्षेत्र के अनुपात में ये संख्यायें न्यूनतम संख्याओं में से हैं ।

(ख) **डाक** : इस राज्य में डाक सुविधाओं का विस्तार करने के लिए सरकार विभिन्न कदम उठा रही है, जिनमें डाकघरों का खोलना / उनका दर्जा बढ़ाना

गावों में डाक का वितरण अधिक बार करना तथा अधिक लेटर बक्स लगाना शामिल है।

दूरसंचार देश के देहाती इलाकों में दूरसंचार की सुविधाओं का विस्तार करने के उद्देश्य से जिला/सब डिवीजन/तहसील/खंड मुख्यालय के रूप में स्थान का महत्व, मौजूदा टेलीफोन एक्सचेंज/तारघर से उसकी दूरी, स्थान की आबादी, पर्यटन/तीर्थ स्थान, बिजली/सिंचाई परियोजना स्थलों के रूप में उसका स्थानीय महत्व आदि विभिन्न बातों को ध्यान में रखते हुए घाटे के आधार पर सार्वजनिक टेलीफोनघर खोलने के लिये एक उदार नीति अपनाई जा रही है।

अभ्रक का उत्पादन

1050. **डा० लक्ष्मीनारायण पांडेय :** क्या **इस्पात और खान** मंत्री यह बताने की कृपा करेंगे कि

(क) क्या देश में अभ्रक के उत्पादन में कमी हुई है, और

(ख) यदि हां, तो उसके क्या कारण हैं ?

इस्पात और खान मंत्रालय में उप मंत्री (श्री सुखदेव प्रसाद) (क) कच्चे अभ्रक उत्पादन में 1971 से 1974 वर्षों के दौरान मामूली सी गिरावट आई, जो इस प्रकार है :–

1971	15,099 टन
1972	14,173 टन
1973	13,830 टन
1974	13,804 टन

वर्ष 1975 में लगभग 11,500 टन उत्पादन होने की संभावना है।

(ख) अभ्रक का उत्पादन मूलतः निर्यात-प्रधान है। सिन्थेटिक अभ्रक तथा अभ्रक की स्थानपन्न वस्तुएं ईजाद हो जाने के फलस्वरूप अन्तर्राष्ट्रीय बाजार में अभ्रक की मांग घट गई है।

सरकारी क्षेत्रों के श्रमिकों का अनिवार्य बीमा

1051. **डा० लक्ष्मीनारायण पांडेय :** क्या **श्रम मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या कलकत्ता में वाणिज्य मंत्री द्वारा यह सुझाव दिया गया है कि सभी सरकारी कर्मचारियों को अनिवार्य बीमा योजना के अन्तर्गत लाया जाना चाहिए,

(ख) यदि हां, तो इस योजना की मुख्य बातें क्या हैं, और

(ग) क्या सरकारी क्षेत्र में काम करने वाले सभी श्रमिकों को इसके अन्तर्गत लाया जायेगा ?

श्रम मंत्री (श्री रघुनाथ रेड्डी) : (क) से (ग). वाणिज्य मंत्रालय ने निम्न प्रकार बताया है —

> "वाणिज्य मंत्री द्वारा खातों के उदारीकरण के व्यापक सन्दर्भ में इसका उल्लेख किया गया था। इसका एक अनिवार्य उपाय के रूप में सुझाव नहीं दिया गया था। इसकी एक योजना के रूप में प्रस्तावित नहीं किया गया था और इसलिए ब्योरों का प्रश्न ही नहीं उठता।"

बाढ़ से नष्ट हुई सड़कों के मरम्मत के लिए बिहार को केन्द्रीय सहायता

1052. **श्री रामावतार शास्त्री** क्या **नौवहन और परिवहन** मंत्री यह बताने की कृपा करेंगे कि

(क) क्या अगस्त, 1975 में भयंकर बाढ़ के परिणामस्वरूप पटना नगर की बहुत सी सड़कें नष्ट हो चुकी हैं ;

(ख) क्या बिहार सरकार ने केन्द्रीय सरकार से उन सडको की मरम्मत की मान्यता तथा निर्माण के लिये अतिरिक्त धनराशि देने का अनुरोध किया है ; और

(ग) यदि हा, नो उस पर सरकार की क्या प्रतिक्रिया है ?

नौवहन और परिवहन मंत्रालय में उपमत्री (श्री दलबीर सिंह): (क) से (ग). राज्य के सार्वजनिक निर्माण विभाग, ग्रामीण इजीनियरी सगठनो और जिला परिषदो की सडको पर टूटे खण्डो, पुलो आदि के पुर्ननिर्माण के लिए अगस्त, 1975 की बाढ के कारण अपेक्षित एक योजना के रूप मे व्यय के लिए योजना आयोग द्वारा योजनाओ की स्वीकृति के अधीन चालू वित्तीय वर्ष मे बिहार सरकार को 2.50 करोड रुपये की अग्रिम योजना सहायता का नियतन किया गया है, जो निम्न प्रकार है

	रुपये करोडा मे
(1) सार्वजनिक निर्माण विभाग की सडक	1 17
(2) ग्रामीण इजीनियरी सगठन और जिला परिषद (सडके)	0 67
(3) शहरी सडके	0 66
कुल	2 50

उपरावत (1) (2) तथा (3) सबधी योजनाओ का ब्यौरा योजना आयाग म प्राप्त हो चुका है जिस पर विचार किया जा रहा है।

जहा तक उपरोक्त मद (3) मे से शहरी सड़को पर प्रयुक्त होने वाली विचार की गई 0 66 करोड रुपये की उपरोक्त राशि का सबध है, उसकी निम्नलिखित कार्यों पर प्रयुक्त करने की सम्भावना है—

	लाख रुपये
(1) पटना नगर निगम द्वारा किये जाने वाले सडक कार्यों पर टूटे खण्डो का पुर्नर्माण	30.00
(2) पटना क्षेत्रीय विकास अधिकरण द्वारा किये जाने वाले कार्य	28 30
(3) बिहार स्टेट हाउसिग बोर्ड द्वारा किये जाने वाले हाउसिग बोर्ड कालोनियो मे सडको का पुर्ननिर्माण	7 70
कुल	66 00

2 राज्य सरकार ने यह भी सूचित किया है कि पटना मे सार्वजनिक निर्माण विभाग की जर्जर सडको को मरम्मत, पुर्ननिर्माण और बदल पर 1 40 करोड रुपये की लागत आने का अनुमान है। इसमे से उनका इस वित्तीय वर्ष मे 70 लाख रुपये खर्च करने का विचार है जिसमे से 30 लाख रुपये केन्द्रीय सरकार द्वारा अवटित उपरोक्त अग्रिम योजना सहायता से पूरा किया जायेगा और शेष राशि की व्यवस्था राज्य के बजट मे गर योजना धन राशि से की जायेगी। आगामी वर्ष मे शेष भाग की धनराशि की व्यवस्था 1976-77 के सडको के लिए राज्य क्षेत्र वार्षिक योजना प्रारूप मे राज्य सरकार द्वारा की जायेगी।

बिहार में बाढ़ से क्षतिग्रस्त हुए राष्ट्रीय राजमार्गों की मरम्मत

1053. **श्री रामावतार शास्त्री :** क्या नौवहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या वर्ष 1975 में भयंकर बाढ़ के कारण बिहार में होकर गुजरने वाले कई राष्ट्रीय राजमार्ग क्षतिग्रस्त हो चुके है; और

(ख) यदि हां, तो उनकी मरम्मत के लिये सरकार ने क्या कार्यवाही की है ?

नौवहन और परिवहन मंत्रालय में उप मंत्री (श्री दलबीर सिंह) : (क) जी, हां । राष्ट्रीय राजमार्गों में से कुछ को क्षति पहुंची ।

(ख) इन सडकों पर यातायात पुन: चालू करने के लिये प्राय सभी मरम्मत कार्य पूरे हो गए है ।

Cargo handled by Kandla Port

1054. SHRIMATI PARVATHI KRISHNAN Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether the overall amount of cargo handled by the Kandla Port has gone up recently; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): (a) Yes, Sir.

(b) The total cargo handled during last three years was as follows:—

Year	Total cargo handled in tonnes
1972-73	24,27,594
1973-74	31,21,686
1974-75	35,43,636
1975-76 (Upto 31-12-1975).	24,52,094

The increase in traffic is mainly due to increase of imports of P.O.L., Foodgrains, Fertilisers and its raw material Export of sugar and commencement of new items of Traffic like import of Copper concentrate and export of Bentonite and Rock-phosphate, have also added to the overall traffic.

Handling of Export Traffic by Kandla Port

1055. SHRIMATI PARVATHI KRISHNAN: Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether Kandla Port could not be used for export due to lack of infra-structure as available in Bombay and other places; and

(b) if so, the steps taken so that Kandla Port could handle more export traffic?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M TRIVEDI): (a) No.

(b) Does not arise.

In fact, while the export traffic in 1973-74 was 2.18 lakh tonnes, it was 3.04 lakh tonnes in 1974-75 and 2.13 lakh tonnes in 1975-76 upto December 1975. The export traffic is moving from

Kandla, the main commodities involved being sugar, salt, tea, crushed bones, bentonite, rock-phosphate etc.

बाढ़ के कारण पटना में डाक तथा तार विभाग को हुई क्षति

1056. **श्री रामावतार शास्त्री** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पटना नगर में अगस्त, 1975 की प्रलयकारी बाढ़ के कारण डाक तथा तार विभाग को भारी क्षति उठानी पड़ी है;

(ख) यदि हां, तो उसका ब्यौरा क्या है, और

(ग) मरम्मत कार्यों पर कितनी धन-राशि खर्च की गई ?

संचार मंत्री (डा० शंकर दयाल शर्मा) : (क) और (ख) : अगस्त, 1975 में पटना के इलाके में जो विध्वंस-कारी बाढ़ आई थी, उसकी वजह से डाक-तार विभाग की स्थापनाओं और उपस्कर को बहुत अधिक क्षति पहुंची थी। 9,995 टेलीफोन कनेक्शनों में से 6,774 टेलीफोन कनेक्शन खराब हो गये थे। जमीदोज टेलीफोन केबुल, टेलीफोन यंत्र, पावर प्लांट कोएक्सियल केबुल-उपस्कर आदि को बहुत ज्यादा नुकसान पहुंचा था।

(ग) संचार सेवाएं पुनः चालू करने के लिए अस्थाई तौर पर मरम्मत कार्य कर दिया गया था। स्थाई मरम्मत-कार्य अब किया जा रहा है। अब तक करीब 6 लाख रुपये खर्च किये जा चुके है।

Construction of Type I and Type II Quarters for P & T

1057. SHRI RAMAVATAR SHASTRI: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether ban on construction of P&T quarters type I and type II has been removed; and

(b) whether action is being initiated to arrange construction of P&T quarters at the places where P&T lands are available in Bihar Circle?

THE MINISTER OF COMMUNICATIONS (DR. SHANKER DAYAL SHARMA). (a) Yes, Sir, subject to the availability of funds which are limited.

(b) Action has already been initiated to construct quarters at Darbhanga and Chhapra. Lands for construction of some quarters at Patna, Motihari, Muzaffarpur, Ranchi, Daltongunj Bhagalpur and Bokaro Steel City are available and construction at these places will be taken up in phases subject to availability of funds.

Non-Deposit of Employees' Provident Fund by Tea Plantations

1058 SHRI TUNA ORAON. Will the Minister of LABOUR be pleased to state:

(a) tea plantations in West Bengal, Assam and Tripura who have not deposited with Government their contributions towards the Employees' Provident Fund; and

(b) the action taken against the defaulters?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): The Provident Fund Authorities have reported as under:—

(a) and (b). (i) West Bengal.

22 Tea Plantations in West Bengal are in arrears of provident fund contributions of Rs. 1 lakh and above as on 1-12-1975. 17 of such establishments have already been prosecuted under Section 114 of the Employees' Provident Funds and Family Pension Fund Act, 1952.

(ii) *Assam*:

The Employees' Provident Funds & Family Pension Fund Act, 1952 is not applicable to tea plantations in Assam.

(iii) *Tripura*:

There is no tea plantation in Tripura which is in default of provident fund contribution of Rs. one lakh and above.

State-wise Arrears of Employees' Provident Fund

1059. SHRI TUNA ORAON: Will the Minister of LABOUR be pleased to state:

(a) the State-wise arrears of Employees' Provident Fund as on 31st March, 1975; and

(b) the steps taken to realise the arrears?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): The Provident Fund authorities have intimated as under:—

(a) A statement is enclosed.

(b) During 1974-75, 2885 recovery cases involving a sum of Rs. 853.08 lakhs were instituted. Prosecutions were launched in 4011 cases. Convictions were secured in 4233 cases.

Statement

Region-wise position of arrears of Provident Fund contributions as on 31-3-1975

Serial No.	Region	Amount of arrears (Rs. in lakhs)
1	Andhra Pradesh	56·57
2	Assam	25·03
3	Bihar	76·46
4	Delhi	10·05
5	Gujarat	49·43
6	Karnataka	7·53
7	Kerala	53·38
8	Madhya Pradesh	214·71
9	Maharashtra	535·08
10	Orissa	18·54
11	Punjab	19·02
12	Rajasthan	36·10
13	Tamil Nadu	128·68
14	Uttar Pradesh	181·90
15	West Bengal	521·42
		1933·90

Indian Delegation to U.N. General Assembly Session in New York

1060 SHRI P. G. MAVALANKAR: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the personnel of the Indian Delegation who attended the 1975 Session of the U.N. General Assembly in New York;

(b) the subjects and matters at the said Session in which India participated and contributed; and

(c) the various Committees and other bodies on which India was voted to membership at the said Session of the U N General Assembly?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) A Statement showing the Indian Delegation to the 30th Session of the U N General Assembly is attached

(b) The Indian Delegation participated actively in the discussions on various important issues on the agenda of the Session, e g, Declaration of Indian Ocean as a zone of Peace, Disarmament, Middle-East, Law of the Sea, questions relating to economic and social development including the establishment of a new economic order, Human Rights, International Women's Year, decolonization and apartheid. In pursuance of its policy of ensuring universality of the U.N, India co-sponsored draft resolutions for the admission of new members

(c) India was re elected to the 12 member World Food Council

Statement

Representatives:

1 Shri Y B Chavan, Foreign Minister

2. Shri Bipinpal Das, Deputy Minister.

3. Shri Rikhi Jaipal, Permanent Representative, PMI, New York.

4 Shri Kewal Singh, Foreign Secretary.

5 Shri Rishang Keishing, Minister of Government of Manipur.

Alternate Representatives:

1 Shri V. N. Gadgil, then Member of Parliament.

2 Shri V A. Sayed Muhammad, then Member of Parliament.

3. Smt Maya Ray, Member of Parliament.

4 Shri R L Bhatia, Member of Parliament

5 Rev. T A. Mathias

Senior Advisers:

1 Shri N Krishnan, J S(UN), Ministry of External Affairs.

2 Shri B. C. Mishra, Permanent Representative, Geneva.

3 Shri Natwar Singh, Dy. High Commissioner, London.

4 Shri S. M Hashmi, Dy. Permanent Representative, PMI, New York.

5 Dr S P. Jagota, JS and Legal Adviser, Ministry of E.A.

6 Shri A. G Asrani, Consul General of India, New York.

Advisers

1 Shri A. K. Budhiraja, Counsellor, PMI, New York.

2 Shri P. R Soood, Counsellor, PMI, Geneva.

3. Shri Gauri Shankar, Counsellor, PMI, New York.

4 Shri S. G. Kale, Special Assistant to the Foreign Minister.

5 Shri S. M. Saifullah, Special Assistant to Deputy Minister.

6. Shri E. A. Srinivasan, First Secretary, PMI, New York.

7. Miss Arundhati Ghose, First Secretary, PMI, New York.

8. Shri R. N. Mulye, First Secretary, PMI, New York.

9. Shri Ranjit Sethi, First Secretary, PMI, New York.

10. Shri Janki Nath Bhat, First Secretary, PMI, New York.

11. Shri P. J. Rao, First Secretary, PMI, New York.

12. Shri P. C. Rao, Legal Adviser, PMI, New York.

13. Shri V. Subramanian, Attache and Private Secretary.

14. Shri James Polycrap, Attache.

15. Shri Hari Pershad, Attache.

16. Shri S. S. Mundra, Attache.

17. Shri K. H. Patel, Research Officer.

Assistance to Municipal Corporations for Improving Public Transport

1061. SHRI P. G. MAVALANKAR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have given any financial, technical and other assistance to the Municipal Corporations of the four metropolitan cities—Bombay, Calcutta, Delhi and Madras for improving and strengthening the public transport system in those areas in 1975; and

(b) if so, particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH): (a) and (b). Loans to the extent of Rs. 18.00 crores were released to the Governments of Maharashtra, West Bengal and Tamil Nadu during the financial year 1974-75 for improving and strengthening the public transport system in the cities of Bombay, Calcutta and Madras. The details are as under:—

(Rs. in crores)

(i) BEST Undertaking, Bombay (through the Govt. of Maharashtra) . . .	7·00
(ii) Calcutta State Transport Corporation (through the Govt. of West Bengal) .	6·00
(iii) Calcutta Tramways Ltd. (through the Govt. of West Bengal) . . .	2·00
(iv) Pallavan Transport Corporation Ltd., Madras (through the Govt. of Tamil Nadu) . . .	3·00
Total .	Rs. 18·00 crores

The Delhi Transport Corporation is functioning directly under the Central Government and its requirements of funds, for both meeting capital expenditure and covering cash deficits, are met by that Government. During 1974-75, Rs. 7.92 crores and Rs. 6.85 crores were given to Delhi Transport Corporation for meeting capital expenditure and for ways and means respectively.

No technical or other assistance was given to the above Undertakings during the relevant year.

Workers' Participation in Industry

1062. SHRI P. G. MAVALANKAR:
SARDAR SWARAN SINGH SOKHI:

Will the Minister of LABOUR be pleased to state:

(a) whether Government have initiated any programme of workers' participation in management in various industrial units in different parts of the country; and

(b) if so, the broad features thereof?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): (a) and (b). Government announced a scheme for workers' participation in industry at shop floor and plant level, *vide* Ministry of Labour Resolution No. S. 61011(4)/75.DK.I(B), dated the 30th October, 1975. A copy of the scheme is being laid on the Table of the House separately.

Arrears of Provident Fund in West Bengal

1063. SHRI SAKTI KUMAR SARKAR: Will the Minister of LABOUR be pleased to state:

(a) the arrears of employees' provident fund in West Bengal as on 31st March, 1975 and the number of firms involved; and

(b) the steps taken to recover the arrears?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): The Provident Fund Authorities have reported as under:—

(a) A sum of Rs. 521.42 lakhs was due as arrears of provident fund contributions as on 31st March, 1975. 116 unexempted establishments were in arrears of Rs. 1 lakh and above

(b) During 1974-75, convictions were secured in 866 cases in the West Bengal Region. 62 cases for recovery of provident fund as arrear of land revenue under Section 8 of the Employees' Provident Funds and Family Pension Fund Act, 1952 were filed.

Financial Assistances to States for Health Services

1064. SHRI SHANKERRAO SAVANT: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the amount of financial assistance which has been given by the Centre to the various States for improving their health services during 1974-75; and

(b) if so, for which purpose it was earmarked?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) and (b). Financial assistance was given to the States during the financial year 1974-75 for Control/eradication of communicable diseases like, Malaria, Smallpox, Leprosy, Trachoma, Cholera, Venereal Diseases, Tuberculosis, Filaria and for establishment of Post-graduate Departments in Indian Systems of Medicines. The assistance given to the various States/Union Territories during 1974-75 in respect of the above programmes is indicated in the statement attached.

Statement

(Rs. in lakhs)

Name of the State/U. Ts.	Value of Material & Equipment	Amount paid in Cash	Total
1	2	3	4
States :			
1. Andhra Pradesh	59·08	90·60	149·68
2. Assam	51·59	75·08	126·87
3. Bihar	125·14	67·40	192·54

1	2	3	4
4. Gujarat	137·85	222·23	360·08
5. Haryana	30·33	11·72	42·05
6. Himachal Pradesh	5·58	2·36	7·94
7. Jammu & Kashmir	5·75	1·88	7·63
8. Karnataka	39·83	59·40	99·23
9. Kerala	7·75	17·55	25·30
10. Madhya Pradesh	191·04	217·37	408·41
11. Mahrashtra	201·24	173·57	374·81
12. Manipur	4·38	10·80	15·18
13. Meghalaya	13·55	12·14	25·89
14. Nagaland	5·97	10·38	16·35
15. Orissa	67·50	112·00	179·50
16. Punjab	39·02	11·53	50·55
17. Rajasthan	134·92	128·48	263·40
18. Tamil Nadu	27·64	34·19	61·83
19. Tripura	7·52	14·91	22·43
20. Uttar Pradesh	138·09	122·45	261·54
21. West Bengal	37·27	59·95	97·22
TOTAL	1332·04	1455·99	2788·03
Union Territories :			
1. Pondicherry	1·33	0·36	1·69
2. Goa, Daman & Diu	1·17	0·51	1·68
3. Mizoram	6·08	11·96	18·04
4. Lakshadweep	0·18	0·01	0·19
5. Chandigarh	0·94	1·70	2·64
6. Andaman & Nicobar Islands	4·89	4·49	9·38
7. Delhi	21·96	1·75	23·71
8. Dadra & Nagar Haveli	0·42	0·02	0·44
9. Arunachal Pradesh	15·34	21·26	36·60
TOTAL	52·31	42·06	94·37
GRAND TOTAL	1384·35	1498·05	2882·40

U.S.S.R. Bases in Indian Ocean

1065. SHRI B. R. SHUKLA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Government of U.S.S.R. have their military bases anywhere in the Indian Ocean; and

(b) if so, where?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Government of India are not aware of any USSR military base in the Indian Ocean.

(b) Does not arise.

Plan to Counteract Military Installations in Diego Garcia

1066. SHRI B. R. SHUKLA: Will the Minister of EXTERNAL AFFAIRS be pleased to state whether the Government of India or any of the littoral countries have formulated any plan to counteract the peril posed by military installations in Diego Garcia by U.S.A.?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): The Government of India have categorically opposed the establishment and expansion of the Diego Garcia base. They have, in concert with the overwhelming majority of littoral and hinterland states, continued their efforts for the early establishment of a zone of peace in the Indian Ocean and for the elimination of all foreign military bases from the zone including the Diego Garcia base.

शिक्षा संस्थाओं के छात्रों का मैडिकल परीक्षण

1067. श्री बी० आर० शुक्ल : क्या स्वास्थ्य और परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मंत्रालय ने शिक्षा संस्थाओं के मैडिकल परीक्षण की कोई व्यवस्था की है;

(ख) क्या उनके मंत्रालय ने इस बारे में राज्य सरकारों के स्वास्थ्य मंत्रालयों को कोई निदेश दिये हैं; और

(ग) क्या केन्द्रीय सरकार द्वारा चलाये जा रहे स्कूलों के छात्रों का मैडिकल परीक्षण कराया गया है ?

स्वास्थ्य और परिवार नियोजन मंत्रालय में उप मंत्री (श्री ए० के० एम० इसहाक) : (क) शिक्षा-संस्थाओं के छात्रों की स्वास्थ्य-परीक्षा करने की व्यवस्था अधिकांश राज्यों में सम्बन्धित स्वास्थ्य अधिकारी ही करते हैं ।

(ख) स्वास्थ्य राज्य का विषय है और अधिकांश राज्य सरकारें इस बारे में स्वयं ही कार्यवाही करती है । स्कूल स्वास्थ्य परिषद् के इसमें सम्बन्धित संकल्प जिसकी एक प्रति सभा पटल पर रख दी गई है । [ग्रन्थालय में रखी गयी । देखिए संख्या LT/10205/76] लागू करने के लिए सभी राज्य सरकारों को भेज दिए गए थे ।

(ग) जी हां ।

Credit to Tanzania

1068 SHRI YAMUNA PRASAD MANDAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Tanzania has sought more credit from our country; and

(b) if so, the decision of the Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) Yes, Sir.

(b) In 1972, a government-to-government credit of Rs. 5 crores was extended to Tanzania. Recently, the

Industrial Development Bank of India have agreed to extend a credit of Rs. 5 crores and also facilitate extension of credit by another Rs. 5 crores through banking institutions on the understanding that the government-to-government credit, IDBI credit and commercial bank credits totalling Rs. 15 crores is required for the procurement of plant and equipment from India for the Kagera Sugar Mill Project in Tanzania.

Sale of Spurious Drugs

1069. SHRI P. GANGADEB: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the names of spurious drugs being sold in the market at present; and

(b) the measures taken recently by Government to further control manufacture of spurious and sub-standard drugs?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) It is not possible to give a comprehensive list of spurious drugs. Some of the drugs which are reported to be counterfeit are gripe water, analgesic tablets and preparations of Chloramphenicol, Oxytetracycline, Dexamethasome, Chloroquin phosphate, Streptomycin—injection, analgin, sulpha drugs, enabolic horones etc.

(b) A statement showing the steps taken by the Government to control the manufacture of spurious and sub-standard drugs is attached.

Statement

The following steps have been taken to combat manufacture and sale of sub-standard and spurious drugs. The steps would also result in ensuring the supply of drugs of standard quality.

1. To eliminate unlicensed manufacturers of drugs, who usually indulge in manufacture and sale of spurious drugs an "All India List of licensed drug manufacturers" has been compiled and brought upto date.

2. The Drugs and Cosmetics Act has been amended and the extent of penalty for manufacture and the sale of adulterated drugs and manufacture and sale without licence has been raised from 3 years to 10 years. Provision has also been made for the confiscation of equipment and implements employed for manufacture of such drugs as also the means of transport of such drugs.

3. The States have been advised to maintain close liaison with the Police authorities for the campaign against spurious drugs to be carried on intensively.

4. Whenever reports of spurious drugs are received by the Central Drugs Standard Control Organisation and whenever a racket is supposed to be of Inter-State character, special precautions are taken to alert the States concerned and to advise them to take necessary action with the assistance of the State Police.

5. The States have ben requested to augment their Drugs Inspectorates and the testing facilities so that the scale of sampling is increased and quick test reports are obtained.

6. Zonal Offices of the Central Drugs Standard Control Organisation have been set up at Bombay, Calcutta, Madras and Ghaziabad to bring about a close liaison between the Central and State Organisations. One of the functions of Zonal Officers is to investigate the movement of spurious drugs, particularly in Inter-State commerce and to ensure that the standards of drugs moving in inter-state commerce are stringently observed. The Zonal Offices are assisted in their task by Central Drugs Inspectors who work in close liaison with the State Drugs Inspectors. The Central Inspectorate staff attached to the Zonal Officers is being augmented.

7. The help and cooperation of Associations representing the interests of drugs manufacturers and dealers are being enlisted to ensure maximum compliance with the Good manufacturing and sale practices and their cooperation in the compaign against spurious drugs is also being sought.

8. A training programme for Drugs Inspectors and Government analysts has been arranged under the aegist of the Central Drugs Standards Control Organisation These training programmes will help in more stringent enforcement of Drug Standard Control.

9 A constant liason and dialogue with the State Drugs Control Organisation is maintained by the Central Drugs Standard Control Organisation by holding meeting of the Drugs Consultative Committee, meetings of the Zonal State Drugs Controllers, and through discussions the Zonal Officers have with the State Drugs Control officials and by correspondence This constant exchange of information helps coordination and intensification of quality control measures

10 The States have been requested to constitute State Drugs Advisory Board on which representatives of the drug manufacturers, dealers, medical profession and consumers are associated to advise the State Governments on the measures to be taken effective enforcement of the Drugs and Cosmetics Act

11 Under the Fifth Five Year Plan provisions has been made for the Central Government to render financial assistance to the States for establishing combined Food and Drugs Laboratory in the States.

12 The question regarding the prevalance of spurious drugs and the steps that should be taken on all India level for tackling the menance of spurious drugs was discussed at the last meeting of the Central Council of Health held in April, 1974. The Central Council of Health passed a resolution which amongst other things recommended to the States that they should set up a proper enforcement machinery including an 'Intelligence-cum-legal Cell' which should maintain a close liaison with the Police and the headquarters and also at the district level for tackling the menance of spurious drugs.

13 Union Health Minister has written to the State Health Ministers emphasising the importance of the State Drugs Control Administration in the State and the need for tightening the enforcement procedures. The requisites for an effective Drugs Control Administration have been spelt out and the extent of assistance that the Centre can extend has also been explained. The need for imposing the severest possible penalties available, where offenders are caught, has also been stressed

14 The Drugs and Cosmetics Act is proposed to be amended to provide for stringent penalties for offences relating to the manufacture and sale of spurious drugs

Development of Projects Concerning Copper

1070 SHRI P GANGADEB: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether large number of deposit-base metals, particularly copper, have been already explored to commence production;

(b) whether to develop such projects concerning copper, adequate funds are available with private sector, and

(c) steps taken by Government to check imports of copper?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) A number of base metal occurrences including copper have been located by Geological Survey of India in the past. These have been explored to various degrees, and some are already being exploited. Feasibility Studies have been carried out in regard to promising deposits. Exploration work in others is continuing.

(b) The Copper Projects are being developed by the Public Sector, as per the Industrial Policy Resolution of 30-4-1956. As such the question of availability of adequate funds with the private sector does not arise.

(c) In addition to the working of the existing copper projects namely Khetri, Kolihan, Dariba and Chandmari in Rajasthan, Mosaboni, Rakha & Surda in Bihar, new copper deposits discovered in Malanjkhand (Madhya Pradesh) are proposed to be developed for the production of copper concentrates. The existing Mines at Mosaboni, Rakha and Surda are also proposed to be expanded. With the commisioning of those new, and expansion projects, import of copper will be reduced substantially.

Export of Iron and Steel

1071. SHRI P GANGADEB:
SHRI PRABODH CHANDRA:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether export orders for iron and steel have reached the target, sought for, by Government; and

(b) if so, the total amount involved?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b): Export Target for 1975-76 for Iron and Steel has been fixed at 11.24 lakh tonnes. Total bookings till 31-12-75 were 13.38 lakh tonnes valued at Rs. 201.74 crores inclusive of spill overs from 1974-75. Of these, 7.33 lakh tonnes valued at Rs. 114.49 crores are covered by letters of credit. Shipments till 31-12-75 were 4.06 lakh tonnes valued at Rs. 60.20 crores.

विदेशों में हिन्दी पढ़ाने की व्यवस्था

1072. श्री शंकर दयाल सिंह: क्या विदेश मंत्री यह बताने की कृपा करेंगे कि :

(क) किन-किन देशों में भारत सरकार द्वारा हिन्दी पढ़ाने की व्यवस्था की गई है; और

(ख) क्या इसके लिये किसी देश ने भारत सरकार से अनुरोध किया था ?

विदेश मंत्रालय में उप मन्त्री (श्री बिपिनपाल दास): (क) हमने बल्गारिया, जर्मन जनवादी गणतंत्र, युगोस्लाविया, मेक्सिको और डाकर में हिन्दी अध्यापक भेजे है तथा श्रीलंका में दो अंशकालिक अध्यापकों की और गयाना, सूरीनाम तथा ट्रिनिडाड-स्थित अपने सांस्कृतिक केन्द्रों में तीन प्राध्यापकों की व्यवस्था की है । हिन्दी पढ़ाने के लिए एक प्राफेसर जल्दी ही बुखारेस्ट भी जाने वाले है ।

(ख) इस समय इस बारे में किसी विदेशी सरकार की कोई माग हमारे यहां विचाराधीन नही है ।

उद्योगों के प्रबन्ध में भाग लेने के लिए श्रमिकों के प्रतिनिधियों का चयन

1073. श्री शंकर दयाल सिंह: क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकारी तथा गैर-सरकारी क्षेत्रों के बडे उद्योगों के प्रबन्ध में श्रमिकों के प्रतिनिधियों के भाग लेने के लिए देश के

किन-किन उद्योगो ने अब तक कार्यवाही की है, और

(ख) इसका चयन किस प्रकार होता है तथा किन-किन यूनियनों के श्रमिक प्रतिनिधियों को अब तक इसमे लिया गया है ?

श्रम मंत्री (श्री रघुनाथ रेड्डी) : (क) और (ख) उद्योग मे श्रमिकों द्वारा भाग लेने की योजना जैसी कि सरकार द्वारा घोषित की गई है, निर्माणकारी और खनन् उद्योगों पर लागू होती है । इस के ब्यौरे योजना की प्रति से देखे जाए, जोकि अलग से सदन की मेज पर रखी जा रही है ।

Scrap-Based Steel Production

1074 SHRI RAGHUNANDAN LAL BHATIA Will the Minister of STEEL AND MINES be pleased to state

(a) whether the outlook for scrap-based steel production is gloomy, and

(b) if so, reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD) (a) and (b) Some of the electric furnace units producing steel from steel scrap are reported to have closed down, and some are stated to have not gone into production The main problem of these units at present is with regard to marketability of their products Some of them are also stated to be facing financial difficulties It has been decided to commission a study of the problems of the electric furnace units by two firms of consulting engineers to suggest remedial measures

ग्रामीण सड़कों का निर्माण

1076 श्री मूल चन्द डागा क्या नौवहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि

(क) क्या ग्रामीण सडकों के निर्माण के लिये पांचवी पंचवर्षीय योजना मे 500 करोड रुपये की व्यवस्था की गई थी, और

(ख) यदि हां तो इस व्यवस्था के आधार पर प्रत्येक राज्य को कितनी धनराशि आवंटित की गई ?

नौवहन और परिवहन मंत्रालय में उपमंत्री (श्री दलबीर सिंह) (क) और (ख) संभवत माननीय सदस्य का आशय पांचवी पंचवर्षीय योजना मे न्यूनतम आवश्यकता कार्यक्रम के अन्तर्गत ग्रामीण क्षेत्रों मे सडक के विकास से है जिसके लिए राज्य सरकारों से योजना आयोग मे प्रस्ताव प्राप्त हुए है । इस कार्यक्रम के अन्तर्गत विभिन्न राज्यों और संघ राज्य क्षेत्रों के लिए निर्धारित पांचवी योजना के मसौदे मे रखे गये परिव्यय को सूचित करने का विवरण संलग्न है ।

विवरण

न्यूनतम आवश्यकता कार्यक्रम के अन्तर्गत राज्यों और संघ राज्य क्षेत्रों के लिए पांचवीं योजना के मसौदे मे दिया गया परिव्यय

क्र० सं०	राज्य संघ राज्य क्षेत्र	पांचवी योजना के मसौदे मे दिया गया परिव्यय
राज्य		
1	आन्ध्र प्रदेश	3000 00
2.	असम	2000 00
3	बिहार	6000 00

क्र० सं०	राज्य/संघ राज्य क्षेत्र	पांचवीं योजना के मसौदे में दिया गया परिव्यय
	राज्य	
4.	गुजरात	2500.00
5.	हरियाणा	300.00
6.	हिमाचल प्रदेश	1000.00
7.	जम्मू तथा काश्मीर	800.00
8.	कर्नाटक	1000.00
9.	केरल	1800.00
10.	मध्य प्रदेश	4500.00
11.	महाराष्ट्र	5000.00
12.	मणिपुर	400.00
13.	मेघालय	200.00
14.	उडीसा	3500.00
15.	नागालैंड	300.00
16.	पंजाब	300.00
17.	राजस्थान	4000.00
18.	तमिल नाडु	1000.00
19.	त्रिपुरा	400.00
20.	उत्तर प्रदेश	8500.00
21.	पश्चिम बंगाल	3300.00
		49800.00
	संघ राज्य क्षेत्र	
1.	अंडमान तथा निकोबार द्वीप समूह	—
2.	अरुणाचल प्रदेश	—
3.	चंडीगढ़	—
4.	दादर तथा नगर हवेली	—
5.	दिल्ली	40.00
6.	गोवा, दमन तथा दीव	8.50
7.	लक्षद्वीप	—
8.	मिज़ोराम	100.00
9.	पाण्डिचेरी	22.00
	कुल	170.50
	कुल योग: राज्य तथा संघ राज्य क्षेत्र	49970.50

Restructure of Central Health Service as Recommended by Third Pay Commission

1077. SHRI YAMUNA PRASAD MANDAL: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether the Third Central Pay Commission's recommendation to restructure the Central Health Service to provide adequate promotional avenues have been accepted by the Government; and

(b) if so, the action taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) The Third Pay Commission have recommended that the structural reorganisation of Central Health Service is necessary to ensure reasonable promotional opportunities to GDOs Grade I, hospital specialists and teaching specialists in their respective fields. The Government have accepted the recommendation.

(b) Selections to the revised grades, viz. senior scale (Rs. 1100—1600), Junior scale (Rs. 700—1300) are being made. Hospital Specialists and teaching specialists have already been fixed in the revised scale of Rs. 1800—2250. The consequential amendments to the C.H.S. Rules are being made including promotions to Supertime Grade II.

Scrap processing Yard in Hyderabad

1078. SHRI M. RAM GOPAL REDDY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Metal and Scrap Trading Corporation proposes to set up a scrap processing yard in Hyderabad; and

(b) if so, the advantages to be derived therefrom?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) and (b): Metal Scrap Trade Corporation Limited and Andhra Pradesh Industrial Development Corporation have in principle, agreed to set up a scrap processing yard at Hyderabad as a joint venture. They are preparing a feasibility report which will *inter alia* bring out the advantages that will be derived.

Meeting between India and Sri Lanka on Maritime Boundary

1080. SHRI S. M. BANERJEE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether there is going to be a meeting between India and Sri Lanka to demarcate maritime boundary; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): (a) and (b). An official delegation led by Foreign Secretary which visited Sri Lanka from 14 to 17 January 1976 discussed, among other things, the question of demarcation of maritime boundary between India and Sri Lanka in the Gulf of Mannar and Bay of Bengal. There will be further talks on this subject between the two Governments.

It will be recalled that the maritime boundary between India and Sri Lanka in the Palk Bay has already been settled under the Agreement of June, 1974.

Representation received from All India Modern and Indigenous Medical Association demanding Reservation of Seats for Post Graduate Courses

1081. SHRI C. K. CHANDRAPPAN: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether Government had received a representation from the All India Modern and Indigenous Medical Association demanding reservations of seats in all branches of post graduate courses in Medical colleges for those who are graduates in Ayurveda and Modern Medicines; and

(b) if so, the decisions taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Yes.

(b) Admissions to postgraduate courses in medical colleges are governed by the rules and regulations of the University to which they are affiliated. No reservations are made for any category in the University except for scheduled castes and tribes for which there is a reservation in some of the Universities.

Rehabilitation of Bonded Labour

1082. SHRI S. M. SIDDAYYA:

SHRI JANESHWAR MISRA:

Will the Minister of LABOUR be pleased to state:

(a) whether any survey has been conducted to assess the living and service conditions of the bonded labour in the country;

(b) whether any schemes have been formulated to rehabilitate them; and

(c) if so, the main features thereof?

THE MINISTER OF LABOUR (SHRI RAGUNATHA REDDY): (a) Yes, Sir.

(b) and (c): The State Governments and Union Territories have been requested to prepare schemes for the economic rehabilitation of the free bonded labour immediately. Some of the State Governments have intimated that steps for providing employment and rehabilitation to freed Bonded labour under the Bonded Labour System (Abolition) Ordinance, 1975, are under consideration.

The main features would be:

(1) severing the bonded labourers' economic links with the privious creditor.

(2) providing the freed bonded labourer with credit and inputs or employment.

Allotment of Funds to States and Union Territories for Health and Family Planning Schemes

1083. SHRI S. M. SIDDAYYA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the amount allotted to each State and Union Territory by the Central Government towards the Health and Family Planning schemes during the year 1975; and

(b) whether the amount has been fully utilised?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) Allocations to States are made financial year-wise. A statement showing the amounts allocated to States and Union Territories in respect of Centrally Sponsored Schemes of Health and Family Planning during the year 1975-76, is attached.

(b) This will be known after the close of the financial year and on receipt of expenditure figures from States ond Union Territories.

Allocation of funds to States and Union Territories during the year 1975-76 in respect of Centrally Sponsored Schemes for Health and Family Planning.

(All amounts are in lakhs of Rupees)

Name of the States/U. Ts.	Amount allocated *Health	Family Planning
1	2	3
1. Andhra Pradesh	225·82	456·47
2. Assam	109·36	71·15
3. Bihar	176·90	262·56
4. Gujarat	463·98	307·70
5. Harvana	41·05	121·80
6. Himachal Pradesh	14·08	36·35
7. Jammu & Kashmir	15·08	44·06
8. Karnataka	124·21	515·38
9 Kerala	39·82	237·59
10 Madhya Pradesh	405·67	402·01
11. Maharashtra	465·96	491·14
12 Manipur	15·41	8·29
13. Meghalaya	17·00	8·84
14. Nagaland	19·15	
15. Orissa	188 92	204·23
16. Punjab	45·58	151·66
17. Rajasthan	271·19	238·58
18. Tamil Nadu	106·68	447·42
19 Tripura	17·49	9·32
20 Uttar Pradesh	301·58	871·75
21. West Bengal	144·74	258·87
22. Sikkim	..	0·40
TOTAL	3209·67	5145·67

1	2	3
Union Territories		
1. Mizoram	19·63	4·00
2. Pondicherry	2·72	5·90
3. Goa, Daman & Diu	2·51	13·81
4. Andaman & Nicobar Islands	7·53	1·50
5. Aurnachal Pradesh	27·64	0·49
6. Chandigarh	3·44	8·00
7. Delhi	20·42	43·62
8. Dadra & Nagar Haveli	0·51	1·11
9. Lakshadweep	0·91	0·26
TOTAL	85·31	78·78
GRAND TOTAL	3294·98	5224·45

*These figures also include value of assistance given in the shape of material and equipment.

M.B.B.S. Examination on All India Basis

1084. SHRI S B. SIDDAYYA: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) whether there is a proposal to have M.B.B.S. examination on All India basis; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): (a) No.

(b) Does not arise.

Use of Natural Gas from Bombay High for production of Sponge Iron

1085. SHRI P. GANGADEB: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the natural gas from Bombay High are going to be used for production of sponge iron;

(b) whether production of sponge iron from the natural gas will put the plants on a sound footing;

(c) whether a blue print for utilising the natural gas has been drawn up; and

(d) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): (a) to (d). While, technically, sponge iron can be produced by reduction of iron ore with natural gas, the possibilities of utilising natural gas from Bombay High would depend upon a number of factors such as quantities available on long-term basis, quality of the gas, cost at which it can be made available, other alternative uses of the gas, etc. It is at present too early to draw up a "blue-print" in this regard.

12.00 hrs.

PAPERS LAID ON THE TABLE

STATEMENTS *re.* I.L.O.'s CONFERENCES, GOVT. RESOLUTION *re.* SCHEME FOR WORKERS' PARTICIPATION IN INDUSTRY ETC.

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H.M. TRIVEDI): On behalf of Shri K. Raghunatha Reddy, I beg to lay on the Table—

(1) A statement (Hindi and English versions) regarding ratification by India of the International Labour Organisation Convention (No. 115) concerning the Protection of Workers against Ionising Radiations, 1960. [*Placed in Library. See* No. LT- 10193/76].

(2) A statement (Hindi and English versions) on the action taken or proposed to be taken on the conventions and Recommendations adopted at the Fifty-ninth Session of the International Labour Conference held at Geneva in June, 1974. [*Placed in Library See* No. LT-10194/76].

(3) A copy of Government Resolution No S. 61011(4)/75-Dk.I(E dated the 30th October, 1975 (Hindi and English versions) containing Scheme for Workers' participation in industry at shop floor and plant level. [*Placed in Library See* No. LT-10195/76]

(4) (i) A copy of the Report of the Court of Inquiry into the causes and circumstances attending the accident which occurred while mining coal opposite Mael Colliery in District Giridih (Bihar).

(ii) A statement (Hindi and English versions) explaining the reasons for not laying simultaneously the Hindi versions of the above Report. [*Placed in Library. See No.* LT-10196/76].

INDIAN TELEGRAPH (5TH AMDT.) RULES, 1975 AND PROFIT AND LOSS ACCOUNT AND BALANCE SHEET OF TELE-COMMUNICATION BRANCH OF P. & T. DEPTT. FOR 1973-74

THE DEPUTY MINISTER IN THE MINISTRY OF COMMUNICATIONS (SHRI JAGANNATH PAHADIA): I beg to lay on the Table—

(1) A copy of the Indian Telegraph (Fifth Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 2826 in Gazette of India dated the 13th December, 1975, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885. [*Placed in Library. See* No. LT-10197/76].

(2) A copy of the Profit and Loss Account and Balance Sheet (on accrual basis) of the Telecommunication Branch of the Indian Posts and Telegraphs Department for the year 1973-74 (Hindi and English versions). [*Placed in Library. See* No. LT-10198/76].

REPORT (1975) OF TARIFF COMMISSION AND GOVT. RESOLUTION *re.* FAIR SELLING PRICE OF ANTIMONY METAL, STATEMENT AND NOTIFICATION

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUKHDEV PRASAD): I beg to lay on the Table—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (2) of section 16 of the Tariff Commission Act, 1951:—

(a) (i) Report (1975) of the Tariff Commission on the

fixation of Fair Selling Price of Antimony Metal.

(ii) Government Resolution No. 1/6/75/Met. V dated the 22nd January, 1976 notifying Government's decisions on the above Report.

(b) A statement (Hindi and English versions) showing reasons as to why the documents mentioned above could not be laid on the Table within the period prescribed in sub-section (2) of section 16 of the said Act. [*Placed in Library. See* No. LT-10199/76].

(2) A copy of Notification No. S.O. 709(E) (Hindi and English versions) published in Gazette of India dated the 17th December, 1975 issued under clause 2A of the Iron and Steel (Control) Order, 1956. [*Placed in Library. See* No. LT-10200/76].

MOTOR VEHICLES (3RD PARTY INSURANCE) AMDT. RULES, 1975 AND A STATEMENT

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI DALBIR SINGH): I beg to lay on the Table—

(1) A copy of the Motor Vehicles (Third Party Insurance) Amendment Rules, 1975 (Hindi and English versions) published in Notification No. S.O. 2213 in Gazette of India dated the 12th July, 1975 under sub-section (3) of section 133 of the Motor Vehicles Act, 1939

(2) A statemend (Hindi and English versions) showing reasons for delay in laying the above notification. [*Placed in Library. See* No. LT-10201/76].

ANNUAL REPORT OF I.I.T., MADRAS FOR 1974-75

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Madras, for the year 1974-75. [*Placed in Library. See* No. LT-10202/76].

12.04 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

(i) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Standards of Weights and Measures Bill, 1976, which has been passed by the Rajya Sabha at its sitting held on the 15th January, 1976."

(ii) "In accordances with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 19th January, 1976, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(iii) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in

[Secretary General]

the Rajya Sabha, I am directed to return herewith the Appropriation (No 2) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 19th January 1976, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill"

(iv) 'In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha I am directed to return herewith the Appropriataion (Railways) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 19th January 1976 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill"

STANDARD OF WEIGHTS AND MEASURES BILL

12 01 hrs.

AS PASSED BY RAJYA SABHA

SECRETARY-GENERAL Sir I lay on the Table of the House the Standards of Weights and Measures Bill 1976 as passed by Rajya Sabha

---

12 1½ hrs

PUBLIC ACCOUNTS COMMITTEE

HUNDRED AND NINETY-SECOND REPORT

SHRI H N MUKERJEE (Calcutta—North-East) I beg to present the Hundred and ninety-second Report of the Public Accounts Committee on Action Taken by Government on the recommendations contained in their Hundred and seventy-sixth Report on Chapter II of the Report of the Comptroller and Auditor General of India for the year 1972-73, Union Government (Civil), **Revenue Receipts,** Volume II Direct Taxes—Corporation Tax, relating to National and Grindlays Bank Limited—Department of Revenue and Insurance

---

12 02 hrs

ELCTION TO COMMITTEES

(i) CENTRAL SILK BOARD

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI A P SHARMA) I beg to move

"That in pursuance of clause (c of sub-section (3) of Section 4 of the Central Silk Board Act 1948 read with Rules 4 and 5 of the Central Silk Board Rules 1955 the members of this House do proceed to elect in such manner as the Speaker may direct one member from among themselves to be a member of the Central Silk Board *vice* Shri Muhammed Khuda Bukhsh died"

MR SPEAKER The question is

"That in pursuance of clause (c) of sub-section (3) of Section 4 of the Central Silk Board Act, 1948 read with Rules 4 and 5 of the Central Silk Board Rules, 1955, the members of this House do proceed to elect in such manner as the Speaker may direct one member from among themselves to be a member of the Central Silk Board *vice* Shri Muhammad Khuda Bukhsh died"

The motion was adopted

(ii) COURT OF THE UNIVERSITY OF DELHI

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): I beg to move:

"That in pursuance of sub-clause (xvi) of clause (1) of Statute 2 of the status of the University of Delhi, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Court of the University of Delhi *vice* Shri Amar Nath Chawla ceased to be a member of Lok Sabha and Shri H. K. L. Bhagat resigned from the membership of the Court. The members so elected shall not be the employees of the University of Delhi or of a recognised College or Institution of that University."

MR. SPEAKER: The question is:

"That in pursuance of sub-clause (xvi) of clause (1) of Statute 2 of the status of the University of Delhi, the members of this House do proceed to elect in such manner as the Speaker may direct, two members from among themselves to serve as members of the Court of the University of Delhi *vice* Shri Amar Nath Chawla ceased to be a member of Lok Sabha and Shri H. K. L. Bhagat resigned from the membership of the Court. The members so elected shall not be the employees of the University of Delhi or of a recognised College or Institution of that University."

The motion was adopted.

STATUTORY RESOLUTIONS *RE.* DISAPPROVAL OF MAINTENANCE OF INTERNAL SECURITY (AMENDMENT) ORDINANCES, 1975 MAINTENANCE OF INTERNAL SECURITY (AMENDMENT) BILL—*Contd.*

12.4 hrs.

MR. SPEAKER: We shall now resume discussion on the statutory Resolutions *re.* Maintenance of Internal Security (Amendment) Ordinances and on the motion for consideration of the Bill.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Before you call the next speaker, I have a submission to make. We have already taken two hours over this Bill; three hours are still left. But there is a discussion at 4 O'clock today. So many Members want to speak and they want an hour more for this Bill. In order to make up six hours in all, I suggest that we skip the lunch and sit through the lunch hour so that it makes up a total of six hours. I submit that we do not rise for lunch; we continue during the lunch hour our discussions. The hon. Minister may be called at 2 O'clock and the whole Bill may be concluded by 4 O'clock. If it takes up a few more minutes, this Bill may be concluded and then the discussion might be taken up.

MR. SPEAKER: Is that the consensus of the House? I find that that is the consensus of the House. I shall call the hon. Minister at 2 O'clock

SHRI S. M. BANERJEE (Kanpur): On one condition, that out of that one hour, five minutes should be given to each political party.

MR. SPEAKER: The idea is to accommodate as many speakers as possible.

श्री महम्मद जमीलर्रहमान (किशनगंज) मोहतरम, स्पीकर साहब, जब तक डेमोक्रेसी के माने रहे हैं गवर्नमेंट आफ दि पीपुल,

[श्री मुहम्मद जमीलुर्रहमान]

बाई दि पीपुल एण्ड फार दि पोपुल, लेकिन हमारे दोस्त ने जिन मे जन सघ, काग्रेस (श्रो), सोशेलिस्ट पार्टी, बी०एल०डी और सी०पी०एम वगैरह सब शामिल है सब एक ही स्वर मे गा रहे है काम कर रहे है और हरकते भी कर रहे है। उन लोगो ने डेमोक्रेसी के माने ले लिए हैं "**गवर्नमेंट आफ दि फोर्स, बाई दि फोर्स एण्ड फार दि फोर्स** और इस की मिसाल ली उन्होने चीन और अमेरिका के गठजोड से।

इस गठजोड का नतीजा यह हुआ कि तखरीबी फिजा कायम हुई नाहक कत्ल हुए बमबाजी हुई और पुलिस और फौज को बगावत की तालीम दी गई और झूठे करैक्टर एसेसीनेशन का इलजाम लगाया गया। इस सिलसिले मे मैं "फोर फेसेज आफ सबवर्शन" के पेज 15 से कोट करना चाहता हू आप इस का मुलाहिजा फरमाए।

"The RSS leaders called Gandhi a hypocrite The RSS maligned Nehru in worse terms. Golwalkar doubted whether he was an Indian He said he had "no hesitation in saying that Nehru was an Englishman, un-Indian and liberal by nature He was a product of the system of education which the British had introduced in India to produce traitors Their family atmosphere was utterly un-Indian, irreligious full of arrogance and ambition By education he was a perfect Englishman"

इस के अतिरिक्त मैं एक और जुमला आप की इजाजत मे कोट करना चाहता हू। "आर्गनाइजर" ने भी यह लिखा है

"It is becoming clear that female franchise is an unnecessary duplication of effort"

और इसी किताब मे लिखा हुआ है कि 30 जनवरी 1966 को जबकि श्रीमती गाधी ने पहली मर्तबा गवर्नमेंट मे कदम रखा था, उस समय उनके खिलाफ कहा था

"I am Hindu enough to take it for a most inauspicious sign of further disasters in store for us, and I have read enough history to know that women's reigns, wherever they have occurred, have been stained with stupidities, crimes, enormities and perversions too disgusting to quote from original sources"

मैं यह अर्ज कर रहा था कि इन लोगो ने झूठा करैक्टर एसेसीनेशन का काम किया, कारखाने के मासूम वर्कर्स को काम नही करने दिया, जिस का नतीजा यह हुआ कि पैदावार बन्द हो गई मुलक की। इन्होने स्ट्राइक्स करवाए, लोगों से बन्द और घेराव करवाए बच्चो को तालीम हासिल करने से वचित कर दिया अवाम के चुने हुए नमाइन्दो को इन लोगो ने मारा-पीटा, एसेम्बली को तुडवाया, कौमी जायदाद को जलवाया। यह मै आप को गिनवा रहा हू इसलिए कि इन्ही वजूहात से इस बिल को लाने की जरूरत पडी और पहले जो एक्ट था उस से एमेंडमेंट करने की जरूरत पड रही है। इन्होने अवाम के नुमायन्दो को सच्ची बात को कहने नही दिया और जात पर कीचड उछालना और फिरकावाराना फसाद करवाना इन का काम था। स्पीकर साहब आप को मालूम है कि गुजरात मे अभी अभी इन्होने हिन्दू मुसलमानो के फसाद करवाए। उन जगहो के नाम है गेडो रोड, लडवारा मे और वारी-चोखण्डी म। यही नही, इन लोगो ने सरकारी अफसरो पर नाजायज दबाव डालना शुरु किया और फौज के अहम नक्शे दूसरे मुल्को मे भिजवाने का काम इन्होने किया। गर्जकि हर वह काम इन्होने किया जोकि जम्हूरियत और इस मल्क के खिलाफ था। मै "**फोर फेसेज आफ सबवर्शन**' के पेज 39 को कोट करता हू। **सेकूलर डेमोक्रेसी आफ अगस्त**, 1975 मे मैगजीन के एडिटर ने लिखा है

"Discovery of small arms, paramilitary uniforms and prohibited maps of sensitive areas from the various offices of the RSS has shocked many who were associated with it or sympathised with it"

और मेरे जो ये दोस्त हैं ये उन के हामी और मददगार हैं। तो मोहतरम स्पीकर साहब, मैं अर्ज कर रहा था कि ऐसे सारे काम जो मुल्क की सालमियत को, मुल्क के वकार को धक्का पहुंचाते हैं, उस को चोट पहुंचाते हैं, इन लोगों ने किये थे। नतीजा यह हुआ कि अव्वाम में बचैनी पैदा हुई, पैदावार बन्द हो गई, कारखाने बन्द इन लोगों ने कराए और मुल्क के लोगों के मोरेल को नीचे गिराने की इन्होंने हर मुमकिन कोशिश की। कभी भी कोम इन लोगों को माफ नही करेगी। जब इन तरीकों से हकूमत इनके पास नहीं आ सकी, इनके हाथ में नही आ सकी तो शमशीर यानी तलवार के जोर से इन्होने हकूमत छीनने की कोशिश की। यह रास्ता इन्होने अख्त्यार किया। में इन की एक स्टेटमेट को कोट करना चाहता हू। श्री सान्याल ने मई 1969 में कलकत्ता मे कहा था:

"Addressing a rally in Calcutta on May Day 1969 to mark the foundation of the CPI(M), Kanu Sanyal hailed Naxalbari as the Chinkiang Mountain of India and an armed uprising against imperialism, feudalism, comprador capital and old and new revisionism. Waving Mao's Red Book, Sanyal said, "communist revolutionaries of Assam Maharashtra. Rajasthan, Madhya Pradesh, Karnataka, Kerala, Punjab, Haryana Tamil Nadu and Kashmir had rallied under the banner of revolution and boldly established throughout India the path of seizing power through armed struggle, as opposed to the rotten and stinking parliamentary path peddled by the revisionists."

यह इनकी हालत हैं। इसके बदले मेरी नीति' मेरी पार्टी की नीति' मेरे लीडर की नीति क्या हैं यह मैं आप को पढ़ कर सुनाना चाहता हूं। कोर कौंसिल आफ सबवर्शन के पेज 7 में यह लिखा हुआ है। नवम्बर 1966 म हमारी लीडर श्रीमती इंदिरा गांधी ने कहा था:

"I am one of those who abhor the use of force in any circumstances. But when there is incitement to violence, and when violence leads to acts of definance of law, to arson, looting and destruction of public property......then there is no other way. It can only be met by force. This is what unfortunately is happening—violence leading to force, force leading to more violence and more violence leading to more force."

उसी के सिलसिले में उन्होंने यह बात कही थी। लेकिन इसको इन लोगों ने नही समझा। इन्होंने समझा कि यह हमारी कमजोरी है। इनके कानों में, इनके दिल मे यह बात नहीं समाई। अमन और दोस्ती से रहना, आइन के मुताबित मुल्क के हालात को सुधारना, आइन के मुताबिक लोगों की जिन्दगी को बनाना, समाज को बनाना और मुल्क को ऊचा उठाना, मुल्क के वक्कार और इज्जत को सब मे ऊचा रखना, सब से बड़ा मानना, यह बात हमारे लीडर ने कही।

अदालतों की बात हमारे दोस्त ने कही है। अदालते अव्वाम के मफाद के लिए होनी चाहिए, मुल्क और कौम की भलाई के लिए होनी चाहिये और इस काम मे अगर ऐसा करते हुए सुधार की जरूरत हो तो उसको जरूर किया जाए। पार्लियामेंट सुप्रीम है। हम लोगों की भलाई के काम करने के लिए कमिटेड है, हम कमैटिड है देश की भलाई के लिए। लोगों की भलाई के लिए,

[श्री मुहम्मद जमीलुर्रहमान]

लोगों के मफाद के लिए, देश को ऊंचा उठाने के लिए जो भी कदम उठाने जरूरी होंगे वे हमें उठाने से गुरेज नहीं करना चाहिये। अब तक क्या देखा गया है ? अब तक देखा यह गया है कि जो भी सोशलिस्टिक कदम उठाया गया है मसलन प्रिवी पर्सेस खत्म करने के बारे में, बैंक नेशनलाईजेशन का, इम्प्लेमेंटेशन आफ लैंड लाज, एरेस्ट्स आफ होर्डर्ज, ब्लैक मार्केटियर्स, स्मगलर्स वगैरह इन सब इकदाम को कानून का सहारा ले कर कौम, अव्वाम और समाज को पीछे धकेलने की कोशश की गई है। नतीजा इसका यह हुआ है कि मुल्क के आगे बढ़ते हुए कदम रुक गए हैं। ऐसे हालात में कानून और आइन में तरमीम जरूरी है। मुल्क की सालिमियत को बरकरार रखने के लिए पाबन्दी लगाना जरूरी है। ये जो हमारे दोस्त गठबन्धन वाले, पांच यार बैठे हुए हैं इन लोगों ने इस में मदद दी है। इसीलिए कानून में तरमीम की सख्त जरूरत है।

मेरे कुछ दोस्तो ने कहा कि कांग्रेस के एम पीज को पकड़ कर बन्द कर दिया गया है। मैं कहूंगा कि यही तो खूबी है हमारी पार्टी की, हमारी सरकार की। यही तो खूबी है इस कानून की। अगर मेरी पार्टी में भी ऐसे लोग थे जिन से मुल्क के मफाद और सालमियत को खतरा था, अव्वाम को नुकसान पहुंचने का अंदेशा था, मुल्क के वक्कार को धक्का लग रहा था और वे हुकमरान पार्टी के मेम्बर होने का नाजायज फायदा उठा रहे थे तो कानून के तहत उनको भी पकड़ लिया गया और छोड़ा नहीं गया ताकि अव्वाम यह न कहें कि अपनी पार्टी का होने के नाते उनको नाजायज फेवर किया गया है।

प्राइम मिनिस्टर के मुकदमे के बारे में भी यहां बात कही गई है। उनको बीस दिन का स्टे आर्डर मिल गया था। इसको देखते हुए मेरे दोस्तों को कानून का एहतराम करना चाहिये था। जब अदालत ने खुद ही स्टे दे दिया था तो फिर हंगामा करना, अपने अमान को नुक्सान पहुंचाना क्या मानी रखता है ? कानून का एहतराम होना चाहिये था। लेकिन मैं क्या करूं। मेरे दोस्तों ने एक्स्ट्रा कांस्टीट्यूशनल मैथड इस्तेमाल किए क्योंकि उनके उसूल यही रहे हैं। अफरा तफरी, हंगामा, लूट मार वगैरह में ही उनका यकीन रहा है।

अखबारों का रोल भी निहायत खराब रहा है और हालात को बिगाड़ने में मददगार साबित हुआ है। अखबारों पर कब्जा किस का है, यह कोई छिपी हुई बात नहीं है। सारे मोनोपोलिस्ट्स, होर्डर्ज, ब्लैकमार्किटर्ज, एंटी नेशनल एलीमेंट्स का ही वहां जमघट है। फिर ये अखबार मददगार हुए हैं ऐसे लोगों के जो हमारे मुल्क में डिस्टेबिलाइजेशन के उसूल पर अमल कर मुल्क में अफरा तफरी फैलाते थे। यही काम रह गया था अखबारों का। इस पर तुर्रा यह है कि चन्द लोगों ने गठजोड़ का अव्वाम व मुल्क के मफाद के हक में बतलाया जाता था, उसका प्रचार किया जाता था। गर्जेकि अखबारों ने हर वे काम किए जिन से मुल्क व कौम के वक्कार व अव्वाम के जज़बात को धक्का लगे। यह एक पेशा बना लिया गया था कि भारत को बैनुल अव्वामी सतह पर नीचा दिखाया जाए। ऐसे हालात में हकूमत ने जो कदम उठाए वे मुनासिब और जायज कदम है। फिर ये जो पांच यार बने बैठे है वे समझने लग गए थे कि ये ही जनता के असली नुमाइंदे हैं। इसी का प्रोपेगंडा अखबारों में किया जाता था। ये चाहते थे कि बैनुल अव्वामी सतह पर जिस तरह से भी हो हिन्दुस्तान का मुंह काला किया जाए। ऐसी कोशिशें करने के बाद वे अपना सीना भारत में उभार कर दिखाते थे कि हमारी फ्री प्रेस है और ऐसा समझते थे कि जैसे उनको कुछ भी कहने का और करने का लाइसेंस मिला हुआ है। इस तरह से कभी

काम नहीं चल सकता है । हमको जम्हूरियत के दायरे में, आइन के दायरे मे रहना होगा । यही मकसद हमारे मुल्क का है, कानून का भी यही मकसद है ।

श्री इद्रजीत गुप्त के भाषण को मैंने बहुत गौर से सुना । उन्होंने कहा कि हमारा कोई दुनिया मे दोस्त नही है । जिन्होंने हमारी इस के बारे मे हिमायत की हो । मैं उनकी कद्र करता हू । लेकिन मै उन से अर्ज करना चाहता हूं कि जो मुल्क हमारे दोस्त थे और है वे अब भी हे । हम लोगों का दोस्त मुल्कों मे गलत प्रापेगंडा का कोई असर नही हुआ है । मै आपको कुछ अखबारात के नाम बतलाना चाहता हू जिन्होंने एमरजेन्सी की हिमायत की है । अल एहराम, इजिप्ट का है, अल बाथ सीरिया का है, अल थावरा ईराक का है, अत्था श्रीलका का है । इस तरह से और भी बहुत से मुल्कों के अखबारात है जिन्होंने हमारी हिमायत की है । नेपाल के अखबार, दैनिक नेपाल ने तो यहा तक लिखा है :

"The Prime Minister has finally been compelled to declare a state of Emergency in India to save the country from the threat of internal conflict posed by immature opposition politicians...."

मैं कहना चाहता हू कि जो मेरे दोस्त पहले भी नही थे वे अब भी नही है और जो पहले भी भारत को ऊंचा उठते हुए नही देखना चाहते थे वे अब भी यह नही चाहते है कि वह ऊंचा उठे और वे दर पर्दा टोटल रेवोल्यूशन वाले गठजोड को माली इमदाद करते रहे हैं और अब भी कर रहे हैं । शायद वे आगे भी करते रहेंगे । एक लेबर लीडर को तो साठ हजार डालर बाहर से मिले हैं और वह फख्र के साथ कहता है कि मै लेबर लीडर हूं । इसलिए तो सरकार ने कौम की खातिर, मुल्क की खातिर, भारत की खातिर, इस कानून को लाया है ताकि मुल्क, अव्वाम और मुल्क की सालमियत को धक्का पहुचने व चोट का खतरा न रहे ।

भारत के गरीब लोगों को, अव्वाम को इस कानून से कोई परेशानी नही हुई है, कोई तकलीफ नही हुई है । मैं चाहता हूं कि जो एटीनेशनल लोग है, देशद्रोही है उन पर ही सही मानों मे इस कानून को लागू किया जाए, उन के खिलाफ ही इसका इस्तेमाल हो ।

अब मै अफसरों के बारे मे थोड़ा सा कहना चाहता हू । यह ठीक है कि एमरजेन्सी के बाद बहुत से अफसरों की हमदर्दी अभी भी उन जमायतों के साथ है जिन पर पाबन्दी लग चुकी है । मै उनके लिए भी कहना चाहता हू कि मुल्क व कौम का मफाद हमारी जान से भी ज्यादा हमे अजीज और प्यारा है । मेरे लीडर श्रीमती इंदिरा गाधी ने साफ तौर से और खुले अलफाज मे कहा है कि मुल्क और अव्वाम का मफाद सब से अव्वलोन है । यही प्रतिज्ञा हम सब को लेनी चाहिये और इस बात का यकीन भी रखना चाहिये ।

आपके डिपार्टमेंट के बारे मे रेड्डी साहब मैं एक बात कहना चाहता हू । आपके डिपार्टमेंट मे एक बहुत ऊचे ओहदे पर एक अफसर है जो इत्तिफाक से मेरे यहा डी एम थे । उस वक्त मै वहा कोर्ट मे वकालत किया करता था । उनको कम से कम पूर्णिया जिला जो बिहार मे है, उसकी पूरी जानकारी है । वह जानते है कि गलिया से नरपतगज बसमतिया भारत का हिस्सा नेपाल से मिला हुआ है । यहा नेपाल बोर्डर डेढ सौ मील लम्बा है । वहा स्मगलिंग का बडा जोर है । मेरी उन से गुजारिश है कि वहा जो धाधली चल रही है उसकी तरफ उनका खास ध्यान जाना चाहिए । उन अफसर को यह भी मालूम है कि वहा कौन लोग ऐसे लोग हैं जो पूर्णिया जिले मे पहले कटिहार भी था

[श्री मुहम्मद जमीलर्रहमान]

श्रौर जो श्रब श्रलग हो गया है, जो एंटी नेशनल एक्टिविटीज कर रहे है, शाखा चला रहे थे श्रौर श्रब दर-पर्दा चला रहे है । पिछले हफ्ते वहा जलूस भी निकला था । उस मे स्कूल के प्रिंसिपल भी है श्रौर टीचर भी हैं । ऐसे लोगों की तरफ श्रापकी निगाह जानी चाहिये । बहुत से श्रफसरान लोग है जो इस तरह की बातों को जानते है । उनके नाम ले कर मैं बता सकता हू । वे क्यों खामोश है । उनको बिहार की श्रौर खास कर पूर्णिया की जानकारी है । मै समझता हू कि मुल्क के वक्कार श्रौर श्रव्वाम की जिन्दगी को बरकरार रखने के लिए सख्त कदम फौरन उठाने की जरूरत है ।

इन इलफाज के साथ मै इस बिल की हिमायत करता हू ।

شری محمد جمیل الرحمان (کشن گنج) : محترم سپیکر صاحب - جب تک ڈیموکریسی کے معنے رہے ہیں گورنمنٹ آف دی پیپل - بائی دی پیپل پارٹی وار دی پیپل لیکن ہمارے دوست نے جن میں جن سنگھ کانگریس (او) اور سوشلسٹ پارٹی کا سی ایل ڈی اور سی پی ایم شامل ہیں - سب ایک ہی سو رہیں کا ہے ہیں اور حرکتیں کر رہے ہیں ان لوگوں نے ڈیموکریسی کے معنے لے لئے ہیں گورنمنٹ آف دی فورس - بائی دی فورس اینڈ فار دی فورس - اور اس کی مثال لی انہوں نے چین اور امریکہ سے کے گٹھ جوڑ سے - اس گٹھ جوڑ کا نتیجہ یہ ہوا کہ بے تدبیری پیدا ہوئی - ناحق قتل ہونے - بم بازی ہوئی - اور پولیس اور فوج کو بغاوت کی تعلیم دی گئی اور جھوٹے کریکٹر اسیسینیشن کا الزام لگایا گیا - اس سلسلے میں میں فار فورسز آف سیورشن کے پیج 15 سے کوٹ کرنا چاہتا ہوں - آپ اس کا ملاحظہ فرمائیے

"R.S.S. leaders called Gandhi a Hypocrite The RSS maligned Nehru in worse terms Golwalkar doubted whether he was even an Indian He had said he had 'No hesitation in saying that Nehru was an Englishman, un-Indian and liberal by nature He was a product of the system of education which the British had introduced in India to produce traitors Their family atmoshphere was utterly un Indian, irreligious full of arrogance and ambition By education he was a perfect Englishman

اس کے علاوہ میں ایک اور جملہ آپ کی اجازت سے کوٹ کرنا چاہتا ہوں - آرگنائیزر نے بھی یہ لکھا ہے -

"It is becoming clear that female franchise is an unneccessary dupli cation of effort"

اور اس کتاب میں لکھا ہوا ہے کہ ۳۰ جنوری کو جبکہ شریمتی گاندھی نے پہلی مرتبہ گورنمنٹ میں قدم رکھا تھا - اس وقت ان کے خلاف کیا کہا گیا تھا -

'I am Hindu enough to take it for a most inauspicious sign of further disasters in Store for us, and I have read enough history to know that women's reigns, wherever they have occured, have been stained with stupidities, crimes, enormities and perversions too disguisting to quote from original sources."

میں یہ عرض کر رہا تھا کہ ان لوگوں نے جو جھوٹا کریکٹر اسیسینیشن کا کام کیا۔ کارخانے کے معصوم ورکرز کو کام نہیں کرنے دیا جس کا نتیجہ یہ ہوا کہ ملک کی پیداوار بند ہو گئی - انہیں نے سٹرائیک کروائی - لوگوں سے بند اور گھیراو کروائے - بچوں کو تعلیم حاصل کرنے سے ونچت کر دیا - عوام کے چنے ہوئے نمائندوں کو لوگوں نے مارا پیٹا - اسمبلی کو تڑوایا قومی جائیداد کو جلوایا - یہ میں آپ کو سنا رہا ہوں اس لئے کہ ان وجوہات سے اس بل کو لانے کی ضرورت پڑی - اور پہلے جو ایکٹ تھا اس میں امینڈمینٹ کرنے کی ضرورت پڑی - انہوں نے عوام کے نمائندوں کو سچی بات کو کہنے نہیں دیا - اور ذات پر کیچڑ اچھالنا اور فرقہ وارانہ فسادات کروانا ان کا کام تھا - سپیکر صاحب آپ کو معلوم ہے کہ گجرات میں ابھی ابھی انہوں نے ہندو مسلمانوں کے فساد کروائے - ان جگہوں کے نام ہیں گھنڈر روڈ ، لکوارا میں اور واری چوکھنٹی میں - یہاں انہیں ان لوگوں نے سرکاری دفتروں پر ناجائز دباؤ ڈالنا شروع کیا - غرضیکہ وہ کام انہوں نے کیا جو کہ جمہوریت اور اس ملک کے خلاف تھا - میں اور فورسز آف سبورشن کے پیج 29 کو کوٹ کرتا ہوں - سیکولر ڈیمانسٹریشن آف اگست 1975 میں گجرات کے

ایڈیٹر نے لکھا ہے

"Discovery of small arms, paramilitary uniforms and prohibited maps of sensitive areas from the various offices of the RSS has shocked many who were associated with it or sympathised with it."

اور میرے جو یہ دوست ہیں ان کے ساتھی اور مددگار ہیں - تو محترم سپیکر صاحب میں عرض کر رہا تھا کہ ایسے بڑے کام جو ملک کی ملکیت کو اور ملک کے وقار کو دھکا پہنچاتے ہیں - اس کو چوٹ پہنچاتے ہیں ان لوگوں نے کیا تھا - نتیجہ یہ ہوا کہ عوام میں بےچینی پیدا ہوئی - پیداوار بند ہو گئی - کارخانے بند ہوئے - اور ملک کے لوگوں کے مارل کو ان لوگوں نے نیچے گرانے کی ہر ممکن کوشش کی - کبھی قوم ان لوگوں کو معاف نہیں کریگی - جب ان طریقوں سے حکومت ان کے پاس نہیں آ سکی تو شمشیر یعنی تلوار کے زور سے ان لوگوں نے حکومت چھیننے کی کوشش کی - یہ راستہ انہوں نے اختیار کیا - میں ان کی ایک سٹیٹمینٹ کو کوٹ کرنا چاہتا ہوں - شری سانیال نے مئی سنہ 1969 میں کلکتہ میں کہا تھا -

"Addressing a rally in Calcutta on May Day 1969 to mark foundation of the CPI(M) Kanu Sanyal hailed Naxalbari the Chinkiang Mountain of India and an armed uprising against imperialism, feudalism, comprador, capital and new revisionism. Waving Mao's Red Book, Sanyal said

[شری محمد جمیل الرحمان]

"communist revolutionaries of Assam Maharashtra, Rajasthan Madhya Pradesh, Karnataka, Kerala, Punjab, Haryana, Tamil Nadu and Kashmir had rallied under the banner of revolution boldly established throughout India the path of seizing through armed struggle, as opposed to the rotten and stinking parliamentary path peddled by the revisionists"

یہ ان کی حالت ہے - اس کے بدلے میری نیتی اور میری پارٹی کی نیتی کیا ہے - یہ میں آپ کو بتلانا چاہتا ہوں - فورسز آف سبورشن کے پیج (7) میں یہ لکھا ہوا ہے - نومبر سنہ 1966 میں ہماری لیڈر شریمتی گاندھی نے کہا تھا -

"I am one of those who abhor the use of force in any circumstances But when there is incitement to violence, and whether violence leads to acts of defiance of law, to arson loot and destruction of public property then there is no other way It can only be met by force This was what unfortunately is happening —violence leading to force, force leading to more violence and more violence leading to more force"

اسی کے سلسلے میں انہوں نے یہ بات کہی تھی - لیکن اس کو ان لوگوں نے نہیں سمجھا - انہوں نے سمجھا کہ یہ ہماری کمزوری ہے - ان کے کانوں میں ان کے دلوں میں یہ بات نہیں سمائی - امن اور دوستی سے رہنا - آئین کے مطابق ملک کے حالات کو سدھارنا - آئین کے مطابق لوگوں کی زندگی کو بنانا - سماج کو بنانا - اور ملک کو اونچا اٹھانا ، ملک کے وقار اور عزت کو سب سے اونچا رکھنا - سب سے بڑا مالدا یہ بات ہمارے لیڈر نے کہی -

عدالتوں کی بات ہمارے دوست نے کہی ہے - عدالتیں عوام کے مفاد کے لئے ہونی چاہیئں - ملک اور قوم کی بھلائی کے لئے ہونی چاہیئں - اور اس کام میں اگر ایسا کرتے ہوئے سدھار کی ضرورت ہو تو اس کو ضرور کیا جائے - پارلیمینٹ سپریم ہے - ہم لوگوں کی بھلائی کے کام کرنے کے لئے کمیٹڈ ہے - ہم کمیٹڈ ہیں دیش کی بھلائی کے لئے - لوگوں کی بھلائی کے لئے - لوگوں کے مفاد کے لئے - دیش کو اونچا اٹھانے کے لئے - جو بھی قدم اٹھانے ضروری ہونگے وہ ہمیں اٹھانے کے لئے گریز نہیں کرنا چاہئے - اب تک کیا دیکھا گیا ہے - اب تک دیکھا یہ گیا ہے - کہ جو بھی سوشلسٹ قدم اٹھایا گیا ہے - مثلاً پریوی پرس کو ختم کرنے کے بارے میں - بینک نیشنلائیزیشن کے بارے میں - ایمپلیمینٹیشن آف لینڈ لاز کے بارے میں - ایرسٹ آف ہولڈرز اینڈ بلیک مارکیٹیئرز کے بارے میں - ان سب اقدام کو قانون کا سہارا لیکر - قوم عوام اور سماج کو پیچھے دھکیلنے کی کوشش کی گئی ہے - نتیجہ اس کا یہ ہوا ہے کہ ملک کے آگے

بڑھتے ہوئے قدم رک گئے ہیں - ایسے حالات میں قانون اور آئین میں ترمیم ضروری ہے - ملک کی سالمیت کو برقرار رکھنے کے لئے پابندی لگانا ضروری ہے - یہ جو ہمارے دوست گٹھ بندھن والے - پانچ یار بھگے ہوئے ہیں - ان لوگوں نے اس میں مدد دی ہے - اس لئے قانون میں ترمیم کی سخت ضرورت ہے -

میرے کچھ دوستوں نے کہا کہ کانگریس کے ایم - پی کو پکڑ کر بند کر دیا گیا ہے - میں کہونگا کہ یہی تو خوبی ہے ہماری پارٹی کی - ہماری سرکار کی - یہی تو خوبی ہے اس قانون کی - اگر میری پارٹی میں بھی ایسے لوگ تھے جن سے ملک کے مفاد اور شاملیت کو خطرہ تھا - عوام کو نقصان پہنچنے کا اندیشہ تھا - ملک کے رفتار کو دھکا لگ رہا تھا - اور وہ حکمران پارٹی کے ممبر ہونے کا ناجائز فائدہ اٹھا رہے تھے - تو قانون کے تحت ان کو بھی پکڑ لیا گیا اور چھوڑا نہیں گیا - تاکہ عوام یہ نہ کہیں کہ اپنی پارٹی کا ہونے کے ناطے ناجائز فیور کیا گیا ہے -

پرائم منسٹر کے مقدمے کے بارے میں بھی یہاں بات کہی گئی ہے - ان کو ۲۰ دنوں کے لئے آرڈر مل گیا تھا - اس کو دیکھتے ہوئے میرے دوستوں کو قانون کا احترام کرنا چاہئے تھا - جبکہ عدالت نے خود ہی تائم دے دیا تھا - پھر ہنگامہ کرنا امن اور امان کو نقصان پہنچانا کیا معنی رکھتے ہیں - قانون کا احترام ہونا چاہئے تھا - لیکن میں کیا کہوں - میرے دوستوں نے ایکسٹرا کانسٹیٹیوشنل میتھڈ استعمال کئے - کیونکہ ان کے اصول بھی رہے ہیں - افرا - تفری - ہنگامہ لوٹ مار وغیرہ میں ہی ان کا یقین رہا ہے -

اخباروں کا رول بھی نہایت خراب رہا ہے - اور حالات کو بگاڑنے میں مددگار ثابت ہوئے ہیں - اخباروں پر قبضہ کس کا ہے - یہ کوئی چھپی ہوئی بات نہیں ہے - سارے منوپلسٹ ہورڈرز - بلیک مارکیٹرز کا اور اینٹی نیشنل ایلمینٹس کا ہی وہاں پر قبضہ ہے - پھر یہ اخبار مددگار ہوئے ہیں ایسے لوگوں کے جو ہمارے ملک میں - نئی سوشلائیزیشن کے اصول پر عمل کرکے ملک میں فسادات اور افرا تفری پیدا کر رہے ہیں - یہی کام رہ گیا تھا اخباروں کا - اس پر طرہ یہ ہے کہ چند لوگوں کے گٹھ جوڑ کو عوام اور ملک کے مفاد کے حق میں بتلایا جاتا تھا - اس کا پرچار کیا

[شری محمد جمیل الرحمان]

جاتا تھا - عرض کہ اخباروں نے ہر وہ کام کئے جن سے ملک و قوم کے وقار کو اور عوام کے جذبات کو دھکا لگے - یہ ایک پیشہ بنا لیا گیا تھا کہ بھارت کو بین الاقوامی سطح پر نیچا دکھلایا جائے - ایسے حالات میں حکومت نے جو قدم اٹھائے وہ مناسب اور جائز قدم ہیں - پھر یہ جو پانچ چار بنے بیٹھے ہیں - یہ سمجھنے لگ گئے تھے کہ یہ ہی جنتا کے اصلی نمائندے ہیں - اسکا پروپیگنڈہ اخباروں میں کیا جاتا تھا - یہ چاہتے تھے کہ بین الاقوامی سطح پر کسی طرح سے بھی ہو - ہندوستان کا منہ کالا کیا جائے - ایسی کوششیں کرنے کے بعد یہ اپنا سینہ بھارت میں ابھار کر دکھلاتے تھے کہ یہ سب ہماری فری پریس ہے - وہ ایسا سمجھتے تھے کہ جیسے ان کو کچھ بھی کہنے کا اور کرنے کا لائسنس ملا ہوا ہے - اس طرح سے کبھی کام نہیں چل سکتا ہے - ہم کو جمہوریت کے دائرے میں رہنا ہوگا - یہی مقصد ہمارے ملک کا ہے - قانون کا بھی یہی مقصد ہے -

شری اندر جیت گپتا کے بھاشن کو میں نے بہت غور سے سنا - انہوں نے کہا کہ کوئی دنیا میں دوست نہیں - جنہوں نے ہماری اس کے بارے میں حمایت کی ہو - میں ان کی قدر کرتا ہوں - لیکن میں ان سے عرض کرنا چاہتا ہوں - جو ملک ہمارے دوست تھے اور ہیں وہ اب بھی ہیں - ہم لوگوں کا دوست ملکوں میں غلط پروپیگنڈہ کا کوئی اثر نہیں ہوا ہے - میں آپ کو کچھ اخبارات کے نام بتلانا چاہتا ہوں - جنہوں نے ایمرجنسی کی حمایت کی ہے - ال اہرام - اجپت کا ہے - ال باتھ سیریا کا ہے - ال تھاورا عراق کا ہے - اتھا شری لنکا کا ہے - اس طرح اور بھی ملکوں کے اخبارات ہیں جنہوں نے ہماری حمایت کی ہے - نیپال کے اخبار ڈیلی نیپال نے تو یہاں تک لکھا ہے - کہ

"The Prime Minister has finally been compelled to declare a state of Emergency in India to save the country from the threat of internal conflict posed by immature opposition and politicians"

میں کہنا چاہتا ہوں کہ جو میرے دوست پہلے بھی نہیں تھے - وہ اب بھی نہیں ہیں - جو پہلے بھی بھارت کو اونچا اٹھتے ہوئے نہیں دیکھنا چاہتے تھے - وہ اب بھی نہیں چاہتے ہیں کہ وہ اونچا اٹھے - اور وہ درپردہ ٹوٹل ریولیوشن والے گٹھ جوڑ کو مالی امداد کرتے رہے ہیں اور اب بھی کر رہے ہیں اور شاید وہ آگے بھی کرتے رہیں گے - ایک لیڈر کو 60 ہزار ڈالر باہر سے ملے ہیں - اور وہ فنڈ کے

ساتھ کہتا ہے کہ میں لیمر لیڈر ہوں - اس لئے تو سرکار نے قوم کی خاطر - ملک کی خاطر - بھارت کی خاطر - اِس قانون کو لائی ہے - تاکہ ملکر عوام اور ملک کی سالمیت کو دھکا اور چوٹ پہنچنے کا خطرہ نہ رہے -

بھارت کے غریب لوگوں کو عوام کو اس قانون سے کوئی پریشانی نہیں ہوئی ہے - کوئی تکلیف نہیں ہوئی ہے - میں چاہتا ہوں کہ جو اینٹی نیشنل لوگ ہیں دیش ودھروھی ہیں - ان پر ہی سبھی معنوں میں اس قانون کو لاگو کیا جائے - ان کے خلاف ہی اس کا استعمال ہو -

اب میں افسروں کے بارے میں تھوڑا سا کہنا چاہتا ہوں - یہ ٹھیک ہے کہ ایمرجینسی کے بعد بہت سے افسروں کی ہمدردی ابھی بھی ان جماعتوں کے ساتھ ہے جن پر پابندی لگ چکی ہے - میں ان کے لئے بھی کہنا چاہتا ہوں کہ ملک و قوم کا مفاد ہماری جان سے بھی زیادہ ہمیں عزیز اور پیارا ہے - میری لیڈر شریمتی اندرا گاندھی نے صاف طور سے اور کھلے الفاظ میں کہا ہے کہ ملک اور عوام کا مفاد سب سے اولین ہے - یہی پرتگیا ہم سب کو لینی چاہئے - اور اس بات کا یقین رکھنا چاہئے - آپ کے تیھارتسمیلنٹ کے بارے میں ڈپٹی صاحب میں ایک بات کہنا چاہتا ہوں - آپ کے ڈیپارٹمینٹ میں ایک بہت اونچے عہدے پر ایک افسر ہے جو اتفاق سے میرے یہاں ڈی - ایم تھے - اس وقت میں وہاں کورٹ میں وکالت کیا کرتا تھا - ان کو کم سے کم پورنیہ ضلع جو بہار میں ہے - پوری جانکاری ہے - وہ جانتے ہیں کہ کل گلیوں میں نریت گلنج بھارت کا حصہ نیپال سے ملا ہوا ہے - یہاں نیپال بارڈر 150 میل لمبا ہے - وہاں سمگلنگ کا بڑا زور ہے - میری ان سے گزارش ہے کہ وہاں جو دھاندلی چل رہی ہے - اس کی طرف ان کا خاص دھیان جانا چاہئے - اس افسر کو یہ بھی معلوم ہے کہ وہاں کون لوگ ایسے ہیں جو پورنیہ ضلع میں پہلے کٹیہار بھی تھا - اب الگ ہو گیا ہے - اینٹی نیشنل ایکٹیویٹیز کر رہے ہیں - شاکھا چلا رہے تھے اور اب در پردہ چلا رہے ہیں - پچھلے ہفتے وہاں جلوس بھی نکلا تھا - اس میں سکول کے پرنسپل بھی ہیں اور ٹیچر بھی ہیں - ایسے لوگوں کی طرف آپ کی نگاہ ہونی چاہئے - بہت سے افسر لوگ ہیں - جو اس طرح کی باتوں کو چاہتے ہیں - ان کے نام لے کر میں بتلا سکتا ہوں - وہ کیوں خاموش ہیں - ان کو بہار کی اور خاص کر پورنیہ کی جانکاری ہے میں سمجھتا ہوں کہ ملک کے وقار

[شری محمد جمیل الرحمان]

اور عوام کی زندگی کو برقرار رکھنے کے لئے سخت قدم فوراً اٹھانے کی ضرورت ہے -

ان الفاظ کے ساتھ میں اس بل کی حمایت کرتا ہوں -]

श्री राम देव सिंह (महाराजगज) अध्यक्ष महोदय श्री ब्रह्मानन्द रेडडी साहब ने जो यह आन्तरिक सुरक्षा (सशोधन) विधेयक इस समय इस सदन मे प्रस्तुत किया है उसने मुझ आश्चर्य मे नही डाला है क्योकि सरकार इस समय जिस राह पर चल रही है, उसमे सरकार के पास अपने बचाव के लिये इसके अलावा और कोई चारा नही है। इस मीसा कानून को इन्ट्रोड्यूस कर के हमारे लोकतन्त्र और राष्ट्र के मस्तक पर जो कलक इन्होने लगाया है, उस कलक पर इन्हें इस तरह सशोधन विधेयको से बार बार कालिख पोतना ही होगा और उसको अधिक से अधिक सुदृढ बनाना ही होगा। इसके अलावा इनके पास कोई चारा नही है। लेकिन मैं होम मिनिस्टर साहब को यह बतलाना चाहता हू कि जिस राह पर आप गये है इसी राह पर आपके कुछ पूर्ववर्ती यात्री भी गय थ लेकिन किसी प्रकार के दमन और दमनात्मक कानून भी उनको बचा नही पाय। मीसा कानून के अन्तर्गत आप किसी को गिरफ्तार कर के किसी जेल मे डाल दे और उसको यह भी न बताये कि तुमको किस अभियोग म जेल म डाला है?

एक माननीय सदस्य आप तो बाहर है।

श्री राम देव सिंह : हमारे जैसे लोग बाहर है लेकिन जब चाहे भीतर डाल देंगे, इसमे कोई आश्चय की बात नही है।

इस मीसा का दुरुपयोग कितने बडे पैमाने पर हो रहा है, रेड्डी साहब जरा चल और देख। सबसे ज्यादा आश्चर्य की बात यह है कि ये अपने दफ्तरो मे अपने अफसरो के बीच बैठकर, जो उन अफसरो के सुझाव आते है, उनके अनुसार ये कानून मे सशोधन करते चले जा रहे है। कलैक्टर को कठिनाई हो रही थी, वह जब किसी को जल मे रखते थे तो उनको 5 दिन के भीतर उसका ग्राउन्ड देना पडता था, लेकिन ग्राउन्ड क्या हो वह बता नही पाते थे पुलिस वालो से कहते थे कि कुछ भी ग्राउन्ड दे दो। यह आश्चर्य की बात है कि पटना मे विधान परिषद् के एक मेम्बर कमेटी की मीटिंग मे थ और पुलिस ने उसी दिन लिखा कि ये एक सभा कर रहे थे अपने गाव मे। तो य ऐसे ही काम कर रहे है। जब इनके अफसरो ने देखा कि ग्राउन्ड देने मे बडी कठिनाई हो रही है ग्राउन्ड मिल नही रहा है तो इन्होने सरकार से सहायता मागी। सरकार को जनता से या सदन से प्रेरणा नही मिल रही है, यह प्रेरणा तो उसको अपने अधिकारियो से मिल रही है। उनको ग्राउन्ड देने मे जो कठिनाई हो रही है, उससे बचने के लिय इन्होने इस तरह के काले कानून को पुन और काला करने के लिये यह सशोधन विधेयक सदन मे रखा है।

अध्यक्ष महोदय, आप भी काफी समय से राजनीति मे है। आप उन दिनो को याद करे जब अंग्रेजो से जूझ रहे थ। हम लोग बागी थे, उनके साम्राज्य को ढाने के लिये हमने गाधी जी के नेतृत्व मे सारी शक्ति लगाई थी, तो भी अंग्रेजों

ने इस तरह की क्रूर कार्यवाही नहीं की जो इन्होंने की है।

आज हमारे लोक सभा के दर्जनों दर्जनों सदस्यों को इन्होंने इस मीसा के अन्तर्गत जेल में रखा है। कोई मेम्बर बंगलोर में किसी कमेटी की मीटिंग में गया तो उसको वहीं गिरफतार कर लिया गया। वहां के कलक्टर ने निर्लज्जता के साथ इनके इशारे पर लिखा कि यह साहब होटल में मीटिंग कर रहे थे। अब लोक सभा की एक मीटिंग बंगलोर में चल रही हो, सदस्य वहां गये हुए हों उसमें शरीक होने के लिये और होटल में ठहरे हुए हों तो वहीं से उठाकर उन्हें जेल में डाल दिया गया। सरकार में उन पर मुकदमा चलाने की हिम्मत नहीं है। अगर उन्होंने कोई अपराध किया है या राष्ट्र विरोधी कार्यवाही की है तो उसके आधार पर कोर्ट में मुकदमा दायर करके सरकार उनको दंडित करवाये लेकिन उठाकर उन्हें बंद कर दिया गया। मुझे कहा जाता है कि आप बाहर है, लेकिन आप कब तक बाहर हैं, यह सोचिये। श्री मोहन धारिया म्युनिस्पैलिटी के चुनाव में भाषण देने के लिये जा रहे थे। रास्ते में ही उनको पकड़कर जेल में डाल दिया गया। मैं ब्रह्मानन्द रेड्डी साहब से कहूंगा कि इस कानून को बनाकर आप इसे अपना कवच समझते है लेकिन इसको पहनकर आप बहुत दिन तक सुरक्षित नहीं रहने वाले हैं।

अभी मेरे पूर्व वक्ता ने, जितनी बातें उनको याद थीं या बता सकते थे, कहानी बनाकर पढ़ दिया और कहा कि यह किया वह किया आदि आदि।

जिन देशों में जनतन्त्र है, उन देशों में विरोधी पक्ष अपनी सभाएं करता है, अपनी बातें बोलता है। सरकार चलाने वालों की त्रुटियों को जनता के सामने अपने मन के अनुसार रखता है। क्या आज यह अधिकार यहां पर है? ये जनतंत्र की बात करते हैं और कहते हैं कि यह जनतन्त्र को पुष्ट करता है लेकिन क्या आज कि व्यवस्था में यह अधिकार आपने हमें दिया है? यदि हम पटना, छपरा या मुजफ्फरपुर में जाकर भ्रष्टाचार के खिलाफ मीटिंग करना चाहें तो क्या हम कर सकते हैं, या कर पायेंगे? मीटिंग करने के पहले यह नोटिस नहीं छाप सकते हैं कि आम सभा होने वाली है। किसी प्रेस वाले में यह छापने की हिम्मत नहीं है। इतनी बड़ी दहशत आज क्रिएट की गई है। स्वतंत्रता संग्राम के दिनों में गांधी जी जहां इस देश के सैनिकों को, हजारों हजारों शहीदों और इस देश के नागरिकों को निर्भीक और बहादुर बनाना चाहते थे, वहां आज ये लोग ऐसे ऐसे कानूनों की रचना कर के कायर और बुजदिल नागरिक इस देश में बनाने का प्रयास कर रहे है और हमको कहा जाता है कि हम राष्ट्र के दुश्मन हैं और लोकतंत्र के दुश्मन हैं। लेकिन लोकतंत्र और राष्ट्र के दुश्मन वे हैं जो ऐसे कानूनों की रचना कर के हिन्दुस्तान की वीरता, और उसके शौर्य को समाप्त करने के लिये षडयंत्र कर रहे है।

मैं रेडडी साहब से कहूंगा कि अगर उन्होंने सोचा होगा तो उनकी आत्मा उनको कोसती होगी कि यह जो कार्यवाही हम करने जा रहे हैं, यह राष्ट्र के विरुद्ध है, जनतंत्र के विरूद्ध है। लेकिन ये लाचार हैं। इन्हें आज यह ही करना हैं। जिस राह पर आज प्रधान मंत्री जा रही हैं, वह राह ऐसी है जहां पर ऐसा कवच इन्हें पहनना ही होगा तब ही यह अपने आपको सुरक्षित समझेंगे।

कल मैंने अखबार में एक नये मंत्री का बयान पढ़ा। बंसीलाल जी कहीं पर बोले है कि मैं प्राइम मिनिस्टर का लायल

[श्री राम देव सिंह]

नहीं हूं बल्कि मैं श्रीमती इंदिरा गांधी के प्रति लायल हूं। पता नहीं कि यह बयान प्रधान मंत्री जी के सामने आया है या नहीं ? अगर आया होता तो जो कोई भी प्रधान मंत्री के प्रति लायलटी से हटते हैं उनको एक घंटे के लिये भी कैबिनेट में ठहरने के लिये कोई औचित्य नहीं है। तो इस तरह का बयान भरी सभा में दिया गया है, जो अखबारों में आया है। आप सब ने देखा होगा। लेकिन वह बंसी बाबू हैं, बड़े भारी वंसी बाज हैं।

श्री जगन्नाथ मिश्र (मधुबनी): श्रीमन्, इन्होंने इस बयान को ठीक से नहीं पढ़ा। अगर पढ़ा है तो ठीक से नहीं समझ पाये हैं।

श्री राम देव सिंह : मैंने उसका अपने दृष्टिकोण के अर्थ लगाया है, आप प्रधान मंत्री से पूछिये कि उन्होंने क्या समझा है।

मैं कह रहा था कि वह अच्छे बंसी बाज हैं। वह बंशी लगाते थे अब तक तालाब में, अब उनको समुद्र में बंशी लगाने के लिये बुलाया गया है। वह बोले, लेकिन मंत्री का कम-से-कम एक चरित्र होता है, उससे बाहर उसको नहीं बोलना चाहिये। हरेक मंत्री की लायलटी प्रधान मंत्री के प्रति होती है, किसी व्यक्ति विशेष प्रति नहीं।

अध्यक्ष महोदय : इसका इस बिल से क्या संबंध है ?

श्री राम देव सिंह : मैं यह बता रहा हूं कि यह सरकार और यह मंत्री किस दिशा में जा रहे हैं। यह जो बिल लाया गया है, वह भी उसी दिशा में एक कदम है। आज मीसा का बहुत बड़ा दुरूपयोग हो रहा है। मैं श्री रेड्डी से कहूंगा कि इस काले कानून में संशोधन करने की जरूरत नहीं है, बल्कि वह इसको जितनी जल्दी समाप्त करें, उसी में राष्ट्र और लोकतंत्र का हित है। मंत्री महोदय ने लोकतंत्र की बात कही है। वह भी स्वतन्त्रता-संग्राम के पुराने सेनानी रहे है। उन्होंने संकल्प लिया था कि मैं इस देश को एक सबल राष्ट्र बनाऊंगा, सबल राष्ट्र में सबल नागरिक बनाऊंगा, लोगों को अपने विचार व्यक्त करने की स्वतन्त्रता दूंगा, मिलने जुलने और सभा करने की स्वतन्त्रता दूंगा। इस सब को समाप्त करना शहीदों के खून के साथ गद्दारी है। इसलिये श्री ब्रह्मानन्द रेड्डी इस बिल को वापिस लें, यही उनसे मेरी मांग है।

SHRI NIMBALKAR (Kolhapur): I will not go so much into the worth or merit of this Bill as to bring to the notice of the hon. Minister some of the malpractices which should have come to his notice even without my mentioning them if his officers were vigilant enough .

For instance, there is the case of the Ambassador Hotel in Bombay owned at present, as far as I know. by Narangs who had bought it from the family of the priests of the Bohra community. On paper this hotel was bought in such a manner that its actual price was not shown. Later on it came to light when this hotel was mortgaged to the American Express Banking Co., that in actual fact it must have been bought for something like Rs. 76 lakhs. This was a big fraud and one of the parties, Narangs, were arrested. It would seem on the face of it that thereby Government had done its duty, but the fact is that this is a crime which was two-sided. Narangs were as much to blame for not showing the correct price for buying the hotel as much as those who sold it. Whereas Narangs were arrested, those who sold it were not arrested.

These are the things which it is not necessary for an M.P. to bring before Parliament or to the notice of the hon. Minister who should have seen it from the Current dated 2nd November, 1974, which I have in my hand. Such agreements are easily noticed and it is only because of some illogical thinking sometimes on the part of Government in its departments that we do not detect them.

I will give you another example. We read in the newspapers almost every day that some smuggler has been caught bringing in goods from outside into our country. Nobody is going to send goods into our country free of cost. Something has to be paid in return for the goods that come into our country. How often do we read in the papers that something is being smuggled out of our country and that a smuggler has been caught in that connection? If you look into the amount of grain that we produce in our country and the amount that we distribute by way of rations among our people, you will find that a huge amount of grain from our country is definitely very probably smuggled out. If we were to give every one in our country 12 kilos of grain per month, which is more than double what we are giving today, then we would need 85 million tonnes of grain, but, in fact, we are producing more than 100 million tonnes, and this year I am told we are having a bumper crop. I want to know where the rest of the grain goes.

In fact, we get ration in such a manner that if we take it at less than 6 kg. per head then over 50 million tonnes of foodgrains has to be accounted for. Where is it going? Surely, you will agree with me that most probably most of this grain is being smuggled out. Some of it is officially exported by us, and in all these days, I have read only one instance in the papers that some foodgrains is being smuggled out from Gujarat. I want to know, how is it perhaps the Minister will enlighten me on this point—that when it is smuggled inside the country, it is known to everybody in 99.99 per cent of the cases, but when it is smuggled outside the country, nothing is known? Particularly, where foodgrain is concerned, it concerns everyone of us here to look into the matter very vigilantly. According to my knowledge, a huge quantity of grains is being smuggled into Pakistan and China.

I have a feeling not because we have ourselves given the Central Government the right to detain or even let out people, despite whatever the States might say, it will help us to get over some of the mal-practices. But the fact is that in the States very often vindictive actions are taken against people. I will give you one instance. There is one gentleman from Ratnagiri. He happens to belong to a Muslim community from the constituency of my friend Shri Page. He had been detained because some higher authority in the party hierarchy found him a nuisance in his politics in the party itself. Then fabricated allegations were made against him that he had got some connections with Pakistan, with the result that he had been put behind the bars. It is quite unfair. If you are going to blame every person saying that he is Muslim and has got some connection with Pakistan; I am sure that the Congress Party cannot be one with you we have got many hon. Members here. For example, a majority of the Muslims in India—there might be exceptions that one is a Muslim but does not consider oneself to be an Indian—are patriotic. But even if such a person was to make a mistake, he must be very clear—because he is relying on the Vigilance Department that he has been indulging in such malpractices—before he catches him up. He should not catch him up because somebody in the higher heirarchy told him to catch that person up.

In this connection, I will give you one more instance. Perhaps the hon. Minister might be good enough to investigate it. There was a jewellery exhibition in Oberoi Hotel in Bombay.

[Shri Nimbalkar]

That was held a day before Diwali or it might be on the Diwali day itself. Hardly had the exhibition started, when the vigilance people rushed in and locked up everything. One would have thought that there was a big malpractice going on and definitely the next day something will come in the paper that so much wealth was taken and all that. But the fact was that two days after that the jewellery exhibition was started, it was going on again. Why was it stopped on the Diwali day? I want to know how it was possible to open that exhibition two days later? If there was something wrong with that exhibition, then the exhibition should not have been started or they should have prevented it from being exhibited at all But the exhibition started and stopped two days later for reasons best known to somebody in the State Government.

Yesterday, it was enlightening for me to listen to the Opposition Members who were giving the names of the professional people who were detained. Politicians have been detained; lawyers have been detained; doctors have been detained, all sorts of people have been detained, but nobody has mentioned why no bureacrat was detained. I want to say that malpractice in bureaucracy, at present, particularly in the CCIE is rampant

Here, I have got the Santhanam Committee Report in which they describe corruption. It says:

"Corruption in the branch of Government activity arises from one of the things as undue delay or unusual hurry on the part of the staff in the despatch, delivery of licence quota and certificates."

If the Minister would be good enough to have a inquiry into the CCI&E, he will find that everything there is manipulated, Actually that is one of the reasons why we cannot give jobs to the people and get rid of poverty. Licences are pending for months and sometimes for years. They are awaiting perhaps some goodness on the part of the people who want licences. Even when these parties send telegrams, purposely mistakes will be made and amendments are made necessary. Again, they have to send telegrams and again there will be delay for months. If this is not gone into, the industry in this country will not progress.

I may tell you, quite definitely, that this is the only way to get rid of poverty and to give people the jobs. If you have this sort of licensing system where all these people make all sorts of misuse while giving licences and, particlarly, allowing delays, you will not get rid of poverty in this country. You will not get rid of poverty in this way unless you remedy these things and see that industrialisation in this country goes as fast as possible.

SHRI JAGNNATH RAO (Chatrapur): Mr. Speaker, Sir, yesterday I listened with rapt attention to three major speeches from the Opposition Benches. They highlighted their point of view. It is quite understandable.

The Home Minister while moving the motion for consideration of the Bill stated that an extra-ordinary situation has arisen in this country and, therefore, extra-ordinary measures have to be taken.

We had Emergency earlier twice, one in 1962 and the other in 1971. On both these occasions, the proclamation of Emergency was made by the President. In one case, it was because of war and in the other case, it was because of threat of external aggression. When there is a threat of external aggression, all the political parties and all sections in the country stand as one man to repel aggression. I remember, when we passed the Resolution in 1962 and also in 1971, we

all stood up and passed the Resolution approving the proclamation. All the Opposition members said, "one nation and one leader," and they all rallied round the Prime Minister both in 1962 and in 1971.

What about the political and economic situation which developed from the year 1972 to June, 1975? Briefly, I may state that the economic condition was worsening. There was all round dronght in the country; there was scarcity of foodgrains and other articles of consumption; the prices sky-rocketed; there was high inflation and the people were disconteted. Talking advantage of the situation, the political parties started a movement and violence also erupted. We know that there were attempts made by some political parties and political leaders to obtain resignations of members of the Legislative Assemblies of Bihar and Gujarat by use of force. They advocated violence. A call was given to the army and the police to disobey lawful orders. Then, on top of it there was the unfortunate assassination of Shri L. N. Mishra, a good friend of mine and there was an attempt on the life of the Chief Justice of India. The country was inturmoil both politically and economically.

Then, on the 12th June, the judgement of the Allahabad High Court gave them a handle and they used it as a detonator to blow up the country. What should the Government do? Will the Government be a helpless spectator or take such preventive steps as are necessary to avert the danger to our democracy and the country? That is why, the proclamation of Emergency was made on the 25th June, 1975. Earlier proclamations of Emergency were because of threats of external aggression, and the Defence of India Act and the Rules made thereunder were passed in 1962 and in 1971; MISA was also passed and the provisions were lenient. When the external aggression is there, we know who the enemy is and we can defend our borders, but when the internal sabotage and disturbance is there, it is difficult to know who is the enemy and who is the friend. When the political parties want to take advantage of the situation, subvert the democracy, subvert the Constitution and blow up the country, stringent measures are necessary. That is why, MISA clauses and Sections had to be slightly amended and made more stringent. Now the judicial review has been taken away. Nevertheless, there is a review. When the officers of the State Governments issue detention and order, that is reviewed by the State Government and the State Governmets orders are reviewed by the Central Government; it is not that there is no review. It is no Draconian in that sense. It is a harsh and stringent measure, I quite agree, but the situation warrants that. It is, however, a temporary measure as stated by the Home Minister.

SHRI INDRAJIT GUPTA (Alipore): Where is the provision for review at the state Government level and then at the Centre?

SHRI JAGANNATH RAO: In an Emergency, wide powers are given to the executive. We should have confidence in the executive. Even the judicial powers cannot be exercised. The Supreme court held in one case:

> "....an objective fact can be left to the subjective opinion of a specified authority and in any event, an objective fact can be determined administratively and not necessarily quasi—judicially."

Therefore, it is not correct to say that there is no remedy open to a person who is detained. In place of judiciary, the executive reviews the order. When it review, naturally it should take into consideration the guidelines which

[Shri Jagannath Rao]

have been laid down by the Supreme Court earlier.

According to the first amendment to MISA, the grounds of detention need not be given to the detenu, but the court held that though the detenu may not get the reasons, the Court is entitled to see it. Therefore, that clause became infructuous, and amendment was necessitated so that even the court is not entitled to know the reasons, otherwise when the court can get the reasons, some people can be let off on some technical reasons. If you want to use the Emergency Effectively the remedy also should be effective, though I quite concede that it is harsh and stringent.

It is also contended that these powers are likely to be misused and some instances have been given. The Prime Minister has been saying that these powers should not be misused, but these should be judiciously exercised. The Supreme Court held in Makha Singh's case that the argument that during the operation of the Presidential Order under Article 359, the executive may abuse its power and the citizens would have no remedy is essentially political, and its impact on the constitutional question is at best indirect. The effective safegaurd against abuse of executive powers in peace or in Emergency is ultimately to be found in the existence of an enlightened vigilant and vocal, public opinion. We should, therefore, be careful to see that the powers are not missused and should bring to the notice of the Government if there is any case of misuse.

In the Emergency, the executive is given wide powers and it is for the executive to say, how long the Emergency should continue and what restrictions should be placed on the liberty of the individual. Even the Fundamental Rights enumerated under Article 19 are subject to reasonable restrictions during normal times. In extraordinary and abnormal times, stringent measures are necessary. It is not that unfettered rights of freedom are given to the individual. National security prevails over individual rights. The Supreme Court also held in the same case—Makhan Singh's case:

> "How long the Proclamation of Emergency should continue and what restrictions should be imposed on the fundamental rights of the people during the pendency of Emergency are matters which must inevitably be left to the executive, because the executive knows the requirements of the situation and the effect of the compulsive factors which operate during the period of great crisis...."

Therefore, it is the executive which is the ultimate authority to decide and as I said, we should have confidence in the executive and the central executive being the superior body, we can trust the executive and see that the powers are not misused; that they are sparingly used and the purpose of imposing emergency is achieved.

Now, Mr. Indrajit Gupta said. 'The same question is being adjudged in the Supreme Court. Why not wait for their decision?' He has overlooked the fact that ordinances have been issued and unless they are replaced by necessary Bill they will lapse. Therefore, this law is necessary and whatever be the decision of the Supreme Court, that will prevail.

So. I will say the ball is now in the court of the Opposition. Let the Opposition create a climate of peace and tranquillity in the country and see that there is no necessary to use these powers. The ball is in your court. Create a congenial atmosphere and see that this weapon cannot be used against anyone. It has not been

used against opposition political parties. It has been used even against some of our own members who are wrong-doors and law-breakers. Therefore, let us create a climate in the country where the executive may not have the necessity to use it against anybody.

श्री आर० वी० बडे (खरगोन) माननीय अध्यक्ष महोदय, आन्तरिक सुरक्षा कानून मे जो सशोधन यहा पर लाया गया है मैं उसका विरोध करने के लिये खडा हुआ हु। इसका कारण यह है कि कितनी रस्सी बाधनी चाहिये थी उस मे ज्यादा उन्होने बांध दी है। इसके लिये कोई रीजन्स भी नही पूछ सकता है। हर एक नागरिक को यह अधिकार है कि उसे क्यों पकडा गया है उसका कारण जान सके। मुझे एक सिनेमा की याद आ रही है जिस मे दिखाया गया था कि स्टार चैम्बर के वारट निकले थे और उन का कोई रीजन नही बताया गया था। लोगों को पकड-पकड कर इग्लैड के टावर मे रख दिया जाता था। लार्ड आगे-आगे भागते थे और वारट वाले उन को पकडने के लिये पीछे भागते थे। वैसे ही स्टार चैम्बर के वारट की तरह मिसा के वारट भी आ गए है। राम राज्य कहते-कहते रावण राज्य आ गया। अब जो मीसा के वारट निकलते है उन मे इतना अन्याचार होता है कि कोई पूछने वाला नही है। अभी मेरे पास एक टेलीग्राम आया हुआ है जिसमे लिखा है

> "We have lodged complaint to Government against Dewas Police atrocities on Satyagrahis at present during investigation local police has encircled village Bhootpya...."

अब आप बताइए वह किस के पास जा कर रोये मुझ से पूछा कि आप क्यो नही पकडे गए तो मैं ने कहा इंदिरा जी की कृपा दूसरे भगवान की कृपा और तीसरे आप की गुड विशेज है, इसलिये पकडा नही गया हू। और अब बुढापा तो है ही। लेकिन हमारी पार्टी ने नेता श्री अटल बिहारी वाजपेयी और जोशी जी दोनो को पकड कर जेल में रख दिया है। अब हमारी पार्टी में कोई बोलने वाला नहीं है। (व्यवधान) . . जितने जोर से वे बोलते है मैं उतने जोर से नही बोल सकता। इसलिए मैं कह रहा था कि मिसा के वारट की जो तामील की जाती है उसमें इतनी एट्रासिटी होती है जिस का कोई जवाब नही और फिर उसके खिलाफ कोई सुनने वाला रहता नही है। कोर्ट मे जा नही सकते। पुलिस मे गए तो कहेंगे हम क्या मदद करे, प्राइम मिनिस्टर से जा कर कहिए। अब प्राइम मिनिस्टर के यहा इतने पहरेदार है कि वहा कोई जा नही सकता है। वहा पहुचने के लिए पहले किस के पास जाना है, क्या करना है यही सब से बडा सवाल होता है। तो मै इस सशोधन विधेयक का विरोध करता हू और होम मिनिस्टर से कहना चाहता हू कि वे इस को वापस ले ले।

SARDAR SWARAN SINGH SOKHI: (Jamshedpur). Mr. Speaker, Sir, I welcome the Maintenance of Internal Security (Amendment) Bill, 1976 which became necessary due to certain circumstances in which the Government had no alternative but to further amend section 3 and 14 of the Maintenance of Internal Security Act, 1971.

It was necessary to strength the hands of the administrative machinery during emergency and these amendments were essential to maintain the internal security of such a vast country of ours, because cases of sabotage were apprehended which might have been caused by certain political people which would have resulted in the complete dis-integration of our country.

[Sardar Swaran Singh Sokhi]

Some goonda and other undesirable elements were also trying to create disturbances in the country and that is why the emergency also became necessary, otherwise there would have been anarchy and chaos because these people were trying to take undue advantage of the leniency of the Government towards them, just to bring them to the right path

Due to enforcement of MISA and Emergency our Prime Minister has saved our country from a disaster which might have brought slavery to the country again and God alone knows what would have been the fate of our country which get independence after hundreds of years with tremendous sacrifices—and thus saved the country from catastrophe

If the internal security of the country would not have been maintained by enforcing this Act I have no doubt that the destructive elements might have achieved their goal and there was every chance of anarchy in the whole country and possibly civil war which would have been very difficult to control at that stage

These amendments to the MISA 1971 will make the act more effective and would help the innoncent people and the officers will have more time to make thorough investigations because the idea is that law-abiding people should not get unnecessarily involved The MISA is meant for such people who are trying to harm the country and hamper the economic development of the country who are under the influence of certain vested interests and are at present behind the bars which is the right place for them for their misdeeds

The revocation of the detention should be done only when the Government is fully satisfied that the persons held were innocent because there are many cases where detentions against certain persons were revoked and after their release they indulged in bigger violations and crimes and had to be re-arrested So this should be strictly adhered to

The countries who want to see India slave again and the people creating mischief in the country under their direct or indirect instructions should be ruthlessly dealt with and should not be granted pardon lest they should again come out from their cells and do bigger mischiefs than before

The grounds of detentions should never be disclosed for dealing effectively with emergency otherwise it would prejudice and harm the very concept of the act and would not be in the larger interest of the country and the people arrested should be kept behind bars till normally prevails in the country and the emergency should continue till such time

There are still many IPS and IAS officers in the States and in the Centre who are communal minded and are hindering the strict enforcement of the MISA and emergency resulting in bringing bad name to the Government I have reported one or two such cases to the Prime Minister I would therefore suggest that the Government should be vigilant and such officers should be dismissed at the earliest Immediate action should be taken whenever such cases are reported by hon Members of Parliament I am sure if the MISA is strictly enforced under the guidelines impartially it would achieve its desired results and even the opposition would have no chance of any complaints With these words I support this Bill

13 00 hrs

SHRI S R DAMANI (Sholapur) I rise to support this Bill very strongly I listened to the views expressed by my friend sitting in the opposition In

the beginning I will say this. The activities of some of the opposition parties have compelled this government to bring this drastic measure. Our Government has great responsibility of developing this country, making this country stronger and stronger, creating more employment opportunities. We have won freedom after long struggle. We have passed through only 25 years so far. It is very essential that our development programmes should continue. Some of the opposition members and parties were not of this view. They wanted that the Congress government should not be successful and they wanted to create problems for them. That was the reason why Government was compelled to bring this measures.

Some Members said that excessive power is likely to be used by executive officers in a different way. There have never been instances where such excessive power has been used by them. On the other hand, there are hundreds of cases where executive officers, government officers, have been suspended, retired from service, or action taken against them. In some cases, departmental action has been taken against them. Government is very watchful in seeing that these officers work sincerely and give justice. Anybody can charge anything but it is difficult to prove it. It is very easy to say anything Ours is a vast country, a very big country and we have to work hard for its progress.

There are a certain sets of facts which I wish to place before you. Have you seen the condition of the railway workers and railway efficiency before the emergency and after the emergency? We saw the strike in 1974 by railway workers. They wanted that the entire railway functioning should be brought to a halt. But since this emergency see the condition. Trains are running at 97 per cent punctuality. Previously there was the cry of shortage of wagons. Now wagons are there. Loading is going on.

13.04 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

There is no complaint from either the thermal power stations or industries or agriculturists that they are not getting wagons. This changed situation has brought more revenue to the Government, to the Railway Administration and this has enabled them to take care of their financial position. This is one improvement. I am comparing the conditions they have created and what achievements have been made after the emergency. Take, for instance, steel plants. Our steel plants were always suffering from inter-union rivalries. The capacity was not more than fifty per cent. In Durgapur, for example, it was as low as 38 percent. The total production expected was less than 5 million tonnes. Now, after the emergency.... (*Interruptions*).

MR. DEPUTY-SPEAKER: Just a minute. I think he is trying to make out a case why he supports this particular Bill.

SHRI INDRAJIT GUPTA: He is making out why emergency became necessary. There is a specific Bill here. You talk about that.

MR. DEPUTY-SPEAKER: Just a minute, I think this Bill is very much connected with the emergency. I would be very very happy. .. . .. But my difficulty is this. Always I try to ensure that Members speak within the scope of the Bill. But, whenever I try to do that, I get into trouble. It is better to be flexible.

SHRI S. R. DAMANI: After this action was taken, the production in steel plants has gone up by one million tonnes.

SHRI INDRAJIT GUPTA: Because of emergency?

SHRI S. R. DAMANI: Because of discipline. There is fear.

MR. DEPUTY-SPEAKER: Mr. Damani, you have taken about six minutes. Now, say something about the Bill.

SHRI S. R. DAMANI: I am coming to that. As regards achievements, the country has benefited by exporting the extra steel produced to foreign countries.

MR. DEPUTY-SPEAKER: What are the provisions in this Bill? And how they should be enforced? Please come to that. You do not have much time. Please come to the point. We have very limited time.

SHRI S. R. DAMANI. After all, the Bill is pertaining to bringing in discipline. Therefore, I am saying what are the achievements, what the Bill is going to achieve and why was this Bill necessitated?

MR. DEPUTY-SPEAKER: What is the Bill going to achieve? What are the provisions of this Bill?

SHRI S. R. DAMANI: All this indiscipline which we witnessed in some sectors has now come to a standstill. Take the case of banks. What were the conditions before and what has happened to them now? I am putting the bare facts.

MR. DEPUTY-SPEAKER: Now I will have to draw your attention to this country. We are not discussing the state of the situation in the country: we are not discussing the emergency itself. it has become a fact of life. We are discussing this particular Bill and the provisions of this Bill specifically that the grounds of detention will not be disclosed to anybody including the person who has been detained. What have you got to say about that?

SHRI S. R. DAMANI: All the previous Members have charged the Government for all these actions.

MR. DEPUTY-SPEAKER: Please come to the Bill.

SHRI S. R. DAMANI: My friend, Shri Indrajit Gupta who had spoken yesterday touched one or two points..

MR. DEPUTY-SPEAKER: Kindly conclude now.

SHRI S. R. DAMANI: Therefore, what I submit is this. The present situation has come about on account of this emergency.

MR. DEPUTY-SPEAKER: Now you will please conclude. You have taken more than ten minutes.

SHRI S. R. DAMANI. Therefore, I....

MR. DEPUTY-SPEAKER. Therefore, you support the Bill.

SHRI S. R. DAMANI: I support the Bill. You are not allowing me to express my views on the advantages ...

MR DEPUTY-SPEAKER I have given you enough time.

SHRI H. M. PATEL (Dhandhuka): Mr. Deputy-Speaker, the original Act, the Maintenance of Internal Security Act, was bad enough, and now by three ordinances the position has been made infinitely worse. The original thing was bad enough because it meant detention without trial. Detention without trial is only justifiable in exceptional circumstances. It was said that there were exceptional circumstances, when the original Act was being considered. Now it is said that those exceptional circumstances have become even more exceptional so exceptional that they have thought it necessary to bring in

these amendments under which they do not wish even to allow people to go to courts, this making the entire thing nonjusticiable. They do not wish ven to tell the persons concerned what they are accused of, on what grounds they were being detained. Nobody is to be informed of all this. Why? All in the name of security of the state, that if those reasons were known, the security of the state would in some mysterious way, be endangered!

What circumstances were there which led to the Proclamation of Emergency, following upon which these steps were taken? Were they such as to really endanger the security of the state? It is said that there was some intention to lanch satyagraha. Since when has satyagraha become so untouchable? Why do you consider that satyagraha is something that will endanger the security of the state? It was with the help of satyagraha that the freedom struggle was won. You may say that the reason for which satyagraha was to be launched was not satisfactory, was not acceptable to you. Are not these steps that you are taking not something against which all along, during the freedom struggle, our leaders had protested most violently? The British were called all sorts of names for arresting people, detaining them and not bringing them before the court. You have now decided to all that and more.

During the Constituent Assembly debates also, this was specially emphasised and these special powers were considered most dangerous. Nevertheless, administratively I would say it was a wise decision to retain such powers, to retain authority for the Government to exercise certain powers during an emergency. But I do not think anybody ever imagined that the emergency would be so misinterpreted and the spirit behind the special provision in the Constitution would be so abused. However, this is being done.

Not only that. The detenues are being treated as convicts or criminals. How far is that justifiable? I think Government should take serious note of the fact and explain to this House why they considered that the political detenues should be treated on par with convicts and given the same treatment as they gave to criminals.

During the freedom struggle, the British readily gave special and considerate treatment to political prisoners, to those who were fighting against them for freedom. Now you do not recognise that and the treatment that is meted out is something inhuman, barbaric; and no matter what representations are made, Government does not give the slightest consideration to them. Therefore it is that the whole scheme of things, whole scheme of legislation is most dangerous. Authority is given to subordinate officers to take drastic steps such as those of detaining people without having to disclose whatever reasons they may have for so doing why should these reasons not be disclosed? Who is going to judge that the reasons are adequate or satisfactory? Has the Government set up any particular machinery which examines such detentions and satisfies itself that they are proper and not mala fide. It is true there is provision for review. But what kind of review is being carried out? How does the Government here in the Centre carry out this review? On the basis of what evidence and data? How much and in what detail does it go into each case or does it merely put its rubber stamp on every proposal, every action taken for detaining a person and depriving him of his liberties? It seems to me that the Government is rapidly moving towards a totalitarian concept of politics, of Government, of State; it is certainly behaving in that way. How else can

[Shri H. M. Patel]

one describe the decision that was taken at the latest Congress session? What was being talked about, what was virtually agreed upon was equating the ruling party with the state. What does it mean? That this is to be a one-party state? Certainly all actions that are now being taken ever since the declaration of the emergency are to prevent the opposition parties from functioning freely as political parties.... (*Interruptions*). It is absolutely correct; is clear that because of such actions, you are proceeding to the next logical stage, that there is to be only one party, the ruling Congress party, which is to be equated with the State. What does that mean? It means that we are almost the penultimate stage towards a totalitarian State. If that is so, why not say so,? Why not say that this is what you are aiming at. At least we would then know where we stand and the public would also know where they stand. But you say all the time no, we have not forsaken democracy, we are doing all this in order to preserve democracy in this country. Democracy has to be preserved by depriving people of their basic rights. If you read how the Government advocates are arguing before the Supreme Court at this very moment even you would realise how sickening are their arguments. What do they say? That no citizen of this country has a right to life or liberty; no citizen has the right to question anything that may be done, however arbitrary.

In fact, it is here in this Act iltself. There is one provision here that says that no person including a foreigner detained under this Act shall have any right to personal liberty by virtue of natural law or permanent law, if any. For you, for the Government there exists no natural law, no natural justice, no justice of any kind whatsoever, natural or formal. The Constitution has no meaning for you except to misrepresent it and it is a great tragedy that the Government lawyers should be arguing with such sickening sophistry.

On the economic front, the Government is to be complimented on the fact that they have been able to check inflation and that is the one major achievement on their part. But was it the emergency that enabled you to check inflation? All those steps that led to the checking of inflation were irrespective of emergency and irrespective of any step that you have taken under emergency. It it very gratifying thing that at long last, it is realised that productivity is of great importance and for the maximisation of that productivity, you have taken some steps. But alas they are such hesitant steps that instead of there being a tremendous booming economy, today, in a year when the monsoon has been most favourable and agricultural production has been exceptionally good, in such a year the economy is stagnant.. The economy is stagnant only because you are not taking further steps that are necessary and which alone would enable you to cash in on the steps that you have taken so far. What are the reasons for this hesitation? Does emergency come in the way of this? Is it necessary to detain more people in order to do this? But if you need emergency in order that your productivity should increase, in order that people should behave in a disciplined way, then I am afraid you are doomed to disappointment.

SHRI SHYAM SUNDER MOHAPATRA (Balasore): Mr. Deputy Speaker, Sir, the Maintenance of Internal Security Amendment Bill 1976 is yet another feather on the cap of our Government. Sir, the word MISA has become a terror to the anti-social

elements, to those who want to subvert our economy, our political activity and that is precisely the reason why many of the people who are hand in glove with those people are today so much against this Bill. Sir, the Central Government has a duty to perform as far as this Bill is concerned. Any State Government which detains a person under this will have to refer it to the Government of India. When any order of detention is made by a State or by an officer subordinate to it, the State Government must report to the Central Government in respect of the order. I have every reason to believe and I have every confidence that the hon. Minister for Home Affairs and our esteemed Prime Minister will go into the detail.

Mr. Deputy-Speaker, Sir, our country is now passing through a transition from one economic order to the other from a feudal or capitalistic society to social order and during this transition, such a bill is very much required to curb the anti-social elements.

Even in Communist Russia, during Stalin's time thousands of people were sent to Siberia and put in concentration camps and so many sins were committed by the Minister for the Interior, which have been exposed by historians. In India persons who were speaking on behalf of the people, like Jayaprakashji and others, were going to create chaos in the country, which would have led to a situation from which there would have been no return. I remember in 1950 when China was passing through a transition period, I was in Calcutta University and on behalf of the India-China Friendship Committee Prof. Tripurari Chakravarti and Nirmal Bhattacharjee visited China. They saw that the anti-social elements and other persons who were going to subvert China's economy were sent to concentration camps. Mr. Mao Tse-tung said, "We are passing through a stage of democratic dictatorship. It is democracy for the people and dictatorship for the anti-socials and those who want to subvert the integrity of the country." The Professor of Political Science was surprised to hear that. So, if we have a limited censorship and regimentation today, it is for the welfare of the people. If you say it is dictatorship, it is dictatorship of the people against hoarders, blackmarketers and those who want to subvert our economy and political integrity.

I have a word af caution about the bureaucracy and the police. In this transition stage, the police and the bureaucracy have to function with the utmost responsibility. I also have a feeling that in the bureaucratic and police set-up, there are some blacklegs who probably within themselves want that this Government should become unpopular. So, without reason, for personal vendetta and self-aggrandisement, they apply MISA against some people. Here the Government has to perform its duty in a very responsible manner. I know in Orissa and other States also, there are Superintendents of Police whose records are not very good and who arrest persons without reason. I know a Superintendent of Police who was having dinner with somebody. Between June and now, certain anti-social people who were against the Government should have been arrested, but they were not arrested. But when certain persons suddenly became anti-Police Superintendent, they were arrested under MISA. Here the personal factor comes in. I hope the hon. Minister and his deputy will exercise their discretion in a proper manner and see that such police officers are pulled up, so that it may serve as an example to others. We cannot change the police and bureaucracy overnight, but we have to see that they are pulled up and made to act in a manner that the Government will be popular. Let us not for-

[Shri Shyam Sunder Mohapatra]

get that even foreign plenipotentiaries, diplomats, Presidents and Prime Ministers who have come to our country have praised the emergency. Though the BBC and other foreign news media were against us for sometime, now they have realised that Shrimati Indira Gandhi had no other alternative and this Government had acted in the wisest manner possible to eradicate corruption and racketeering by imposing emergency.

In a state of affairs like this I have to support this Bill, although in the beginning I did not like it. Many of us Congress MPs did not like that a person should lose his liberty and not be able to know for what reasons he has been arrested. But when I saw this country going to chaos because of the actions of a few people who did not believe in non-violence and constitutional means, I realised that there was reason for this Government to impose emergency and take the other measures which it has taken. Let some of us lose our personal independence, if that is good for the country and for the welfare of the teeming millions and for ushering in a society of plenty and prosperity and socialism. With these words, I support the Bill.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Deputy-Speaker, Sir, I rise to oppose this Bill and I do so with all the earnestness and sincerity and force at my command.

In 1950, this august House, a provisional Parliament it was known then, passed, what is called, Preventive Detention Act and from that Act in 1950 to the latest amendments which the Home Minister has sought to bring before this House today in 1976, there has been a long, arduous and a very dangerous journey. One by one throughout these 26 years, this Parliament has been asked to make legislation corroding and eroding the civil liberties and rights and freedoms of the citizens of this country.

Sir, if you remember, in the last emergency session that was held in July, 1975, I had objected to leave being granted to the Home Minister even for introducing a similar Bill amending the Maintenance of Internal Security Act by the earlier two Ordinances which Government had promulgated on June 29 and July 15, 1975. Later on, the Government came out with two more ordinances, one on the 16th of October and the other on 17th of November last year. Even on these earlier two amendments of the MISA I had requested the House not to give leave to the Home Minister for introduction. Of course, it was introduced because of the vast majority on the other side. When several of us on this side of the House withdrew on 23rd July from further proceedings, I found later on that the House immediately passed that law, draconian that it was!

My worst fears have thus come true. Sir, let me say at the outset: this draconian, dangerous and dirty piece of legislation has given a death blow to all norms of decency and to all civil and political liberties and freedoms of individual citizens of this country.

Now, Sir, take the two amendments which the Home Minister wants to bring before this House. What is the nature of those amendments? Those amendments are the direct attack on the right to life and liberty of the individual citizen.

Sir, the liberty of a person is a very sacred thing; the liberty of an individual is a private thing, and it is valuable because he wants to do some public good, and the State has no right to encroach upon those liberties and rights except through lawful and constitutional methods, and thereafter also, the Government's action, if challenged, is something which is bound to

be reviewed by the highest courts of law that are available. Therefore, when these rights which are valuable are sought to be removed, what else can we do except to oppose them tooth and nail? This MISA and its application has been a flagrant violation of the constitutional provisions and the rights and liberties of the citizens as enshrined in the Constitution.

Sir, the Government do not reply to our questions pertaining to Government's action in arresting and detaining countless citizens. When I gave notice of a question as to how many persons were arrested under MISA, the answer given to me by the Lok Sabha Secretariat was: "Your question is not allowed"! Has the Parliament or this country no right to know at least the number of persons who have been arrested? But we are told that this information cannot be supplied. Why? Because it is not in the interest of the State. Look at the Home Minister's Statement of Objects and Reasons He says that all these amendments are necessary in the larger interest of the State. What is the larger interest of the State? I have a book here by one leading jurist, Shri Jagadish Swarup. He is an Advocate and former Solicitor-General of India. Reading this book 'Human Rights and Fundamental Freedom', in 1976 – and it was published just last year in 1975, —I must say, it makes a very distressing and amusing reading. One feels as though so much time had elapsed between the publication of this Book last year and the extension of liberties today that the Book has suddenly become, as it were, irrelevant and out of date! Sir, Shri Jagadish Swarup rightly says that when a legislature passes any preventive detention law, it is not adjudging in advance the crime or the guilt of the offender, but it only empowers the State with certain extraordinary powers to detain a person because of the argument of the State that a particular person may do something wrong or harmful which may be prejudicial to public good and law and order of the country. But ultimately that has to be proved before an independent agency, and if it is not proved in a court of law, then the Government cannot go on accumulating powers after powers in a most arbitrary fashion and in a most cavalier way, and come to Parliament with more amendments and ordinances telling the country through Parliament that they want these amendments. Therefore, I say that Government's action in detaining people without showing any cause, without any provocation from the detenu, without any conviction through the properly established channels of law as laid down in our Constitution, all these Governmental actions are arbitrary. The Home Minister says that he has legal difficulties and certain other difficulties in administration.

Sir, this smacks of dictatorship: this language smacks of authoritarianism; this language smacks of totalitarianism. It is always so, when the Governments find it awkward, inconvenient and difficult to implement, they say, "let us get rid of these difficulties and awkwardnesses." Why? Because they can than do as they liked Mr. Deputy-Speaker, Sir, we still remain in the old order. "I am the monarch of all I survey?" Have we not progressed in this country or elsewhere in the world where democratic States are enriching the citizens with more and more rights against the States? Therefore, I want to ask the Home Minister, Shri Brahmananda Reddy: "Does he and does his Government want to rule without any basis of the Rule of Law?" The last two amendments brought by way of ordinances and armed by way of their retrospective application are included to circumvent and circumscribe the authority, role, jurisdiction and contribution of the courts; and they make nonsense of judicial review; nay they eliminate it altogether. Sir, the Home Minister says that these are necessary, because there are certain administrative diffi-

[Shri P. G. Mavalankar]

culties. I want to ask him: "What are these difficulties? Why are you not able to give grounds?" Sir, if you treat the grounds as confidential, *i.e.*, confidential from the detenu, I can perhaps understand because it may be in the interests of the nation. But, are they also confidential also from the point of view of the judges knowing them? By these amendments, if you make the grounds not available even to the courts, it obviously means that not only the Government have no ground, but even if they have the ground, they want to conceal it; and my charge is that these two amendments are trying to legalize the Government's concealment of these grounds. They have no right to conceal those grounds from the courts, because it is illegal, unconstitutional and not provided for in our Constitution. Sir, with your permission, I will read out only the first paragraph—not the whole of it—of Article 226:

> "(1) Notwithstanding anything in article 32, every High Court shall have power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority, including in appropriate cases any Government, within those territories directions, orders or writs in the nature of *habeas corpus, mandamus....*"

Now, I want to ask the Home Minister: "Does he not, through these two latest amendments want the eradication of Article 226 from our sacred book, the Constitution?" The Government cannot do indirectly, what they cannot do directly. If they have guts, let them come before Parliament and say that Article 226 is out of the Constitution; but they dare not say that. So, instead of saying that, they are coming through these mischievous, malicious amendments and are telling the Parliament, and through the Parliament are telling the country, that these amendments are necessary in the interests of the State. Sir, I want to suggest that this is nothing short of stultifying the High Courts and stultifying the judicial review—and destroying it—that is available in our Constitution.

I am concluding in a few minutes. Article 226 talks of *habeas corpus* which I mentioned, what is *habeas corpus*? It is nothing but a demand of the body of the detenu right before the court of law. The English people are proud in inventing this wonderfully good and sacred right of the individual's privacy, his liberty and his freedom. Then, therefore, this is an ancient right; and the English people are rightly proud of it. In the Continent they have taken it; in America they have taken it. We have taken it under Article 226. What does *habeas corpus* mean? It only means, let us have the body. When a man is detained in England not only do the relations and lawyers have a right to appeal on his behalf; but when the appeal is heard in a court of law—I hope, Sir, you know—the English courts make it obligatory for the detenu to be brought before the court. Why? Because in case the court says that the detention is illegal, then not a minute must be wasted between the court's pronouncement and the man's release from the jail Therefore, he is brought physically in the court and a judgement is given by the law court. That is why, Sir, the British are naturally proud; and, therefore, the Englishman can say that his house is a castle in which nobody can enter without his permission.

Now, Sir, I know I should not speak for long; because even if I speak longer, Government is going to pass these amendments with its huge majority. But I want this matter to go on record, that the judicial review is a thing which is part of the basic structure. If the Supreme Court's judgment in the Kesavanand Bharati case still holds water, and it certainly does so, then the basic structure of our Constitution

cannot be altered, either by constitutional amendments or by any kind of legislation. My charge is that this particular Bill is doing exactly that.

What is then the remedy? The remedy is not ultimately in the pages of the Constitution, or in the hands of the Supreme Court. Ultimately, when man's liberty is destroyed, the remedy is in his own determination to fight against that destruction. Judge Learned Hand of the United States of America, a very learned and eminent and highly respected jurist, said in his book *The Spirit of Liberty* something very relevant in this context. I will quote two very marvellous paragraphs from this book. He says:

> "I often wonder whether we do not rest our hopes too much upon constitutions, upon laws and upon courts. These are false hopes, believe me, these are false hopes. Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution no law, no court can even do much to help it."

He says further:

> "What then is the spirit of liberty? I cannot define it; I can only tell you my own faith. The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias; the spirit of liberty remembers that not even a sparrow falls to earth unheaded; the spirit of liberty is the spirit of Him who, near two thousand years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

The Prime Minister in her latest press interview given to the French news agency and published this morning says that she wants democracy to stay in the country and that she does not envisage any major changes or alterations in the Constitution or in the parliamentary system. Well, if this is so, then I appeal to her and to the Government that they should do nothing which will destroy the basic structure of our Constitution. Also, the rights and freedoms of citizens as enshrined in our Constitution must remain intact.

श्री नाथूराम अहिरवार (टीकमगढ़) : उपाध्यक्ष महोदय, जो संशोधन विधेयक प्रस्तुत किया गया है, उसका मैं समर्थन करते हुए अपने विचार प्रकट करना चाहता हूं। अभी विरोधी-पक्ष की ओर से जो तर्क प्रस्तुत किये जा रहे थे कि हमारे अधिकारों पर कुठाराघात किया जा रहा है, मैं उनको याद दिलाना चाहता हूं कि एक राजनीति के विद्वान ने कहा है कि—

"Liberty involves right and right demands State".

जब कोई व्यक्ति अपने अधिकारों के लिए दूसरों के अधिकारों का हनन करता है तो राज्य बीच में आता है। हमे वे दिन याद है जब 1972–73 में हमारे देश में सूखा पड़ रहा था। उस समय लोगों को अन्न केअभाव में बहुत कष्ट उठाना पड़ रहा था। गरीबों को पानी तक भी नही मिल रहा था। जो लोग आज जनता के अधिकारों की चिन्ता कर रहे हैं, उन्होंने उस समय रेल की हड़ताल कराई थी। क्या उस समय उन गरीबों के अधिकार उनके सामने नही थे। उन्होंने कारखानों के लिये कोयला नही जाने दिया।

[श्री नत्थूराम अहिरवार]

उस समय मैं झासी मे था। इजीनियरो ने 6 जनवरी को हडताल की, जब कि किसानो के खेतो मे पानी देने की आवश्यकता थी।

आज शिकायत की जाती है कि मीसा का उपयोग विरोधी दलों के विरूद्ध किया जा रहा है। मैं निवेदन करना चाहता हू कि आज देहात के लोगों मे बहुत चैन है। पहले सरकारी कर्मचारी दफतरो मे समय पर नही जाते थे और नियमो के अनुसार काम नही करते थे। इसके कारण लोगो को बहुत परेशानी का सामना करना पडता था। यही स्थिति कचहरियो मे भी थी, लोगो की दो-दो दिन तक पेशी नही होती थी। लोग सुबह से लेकर शाम तक वहा बैठे रहते थे लेकिन कोई उनको पूछने वाला नहीं होता था। बाबू लोग अपना भत्ता बनाने मे लगे रहते थे। बाजार बन्द होने की वजह से लोग गल्ला और अन्य आवश्यक वस्तुए नहीं खरीद पाते थे।

विरोधी पार्टियो के लोग गाव मे जाकर किसानो से कहते थे कि सरकार तुम्हारा गल्ला सस्ते दामों पर खरीद रही है। इसलिये उसको गल्ला न बेचिये। --- मे आकर व कहते थे कि सरकार बाजार मे गल्ला नही आने देती है। इन लोगों ने देश मे असतोष की आग भडकाई। जब सरकार ने उचित कार्यवाही की तो आज ये लोग अधिकारो की माग कर रहे है। पहले अगर किसी की लडकी पढने के लिये स्कूल जाती थी तो उसको यही चिन्ता रहती थी कि क्या वह पढकर सही सलामत वापस भी आ जायेगी या नही। ट्रेनो की चेन-पुलिंग भी बहुत होती थी, जिसके कारण यात्रियों को बहुत असुविधा होती थी। स्कूलो और दफतरो मे अनुशासन नाम की कोई चीज नही रह गई थी। विरोधी पक्ष के नेता ही उस समय अगुआ थे। जो लोग भ्रष्ट थे वे लोग यहा बडे जलूस मे बोट क्लब पर आते थे और प्रजातत्र की माग करते थे। मैं कहना चाहता हू कि हमारे मित्र जनता के सामने जाये और उस से पूछें कि क्या इमर्जेन्सी जरूरी है या नही। मैं समझता हू कि 1 परसेंट आदमी भी ऐसे नही मिलेंगे जो कहेगे कि इमर्जेन्सी जरूरी नही है।

हम ने देखा कि विरोधी पक्ष के लोग अपने देश के चेहरे को, अपने देश के चित्र को, दूसरे देशो के सामने बिगाड कर रखने का प्रयास कर रहे थे। वे देश को मजबूत नही बनने देना चाहते थे। जब प्रधान मत्री ने "गरीबी हटाओ" का नारा लगाया, तो उन्होंने यह प्रयत्न किया कि देश मे उत्पादन न होने पाय, कारखाने न चलने पाये, क्योकि अगर उत्पादन नही होगा, तो महगाई बढेगी, जिस के फलस्वरूप जनता के असन्तोष मे वृद्धि होगी।

आखिर इमर्जेन्सी से नुक्सान किस को हुआ है?—इस से नुक्सान कुछ ही लोगो को हुआ है। जो लोग दफतरो मे काम नही करते थे, जो भ्रष्टाचार करते थे, जो स्मगलिंग और चोर-बाजारी करते थे, उन का वाकई बडा नुक्सान हुआ है। और उन्ही की वकालत यहा हो रही है, क्योकि उन से इन दलो का बडी सहायता मिलती थी।

यह ठीक है कि कही कही इस का दुरुपयोग हुआ है और इस लिए मैं होम मिनिस्टर साहब से कहना चाहता हू कि उन्हें सरकारी अधिकारियो के प्रति बहुत सतर्क रहना चाहिए और शासन की सारी बागडोर उन के हाथो मे नही सौंप देनी चाहिए। कुछ सरकारी अधिकारी ऐसे हैं, जो सरकारी नीतियो की आलोचना करते है और विरोधी पार्टियों के लोगो को गुप्त सूचना देते है। यह भी देखा गया है कि अगर कुछ व्यक्ति मीसा के अन्तर्गत पकडे गये है, और बाद मे गलत तौर पर पकडे लोगों को छोडा जाता है, तो व अधिकारी उन लोगो को भी छोड देते है,

जो वास्तव में दोषी होते हैं और जिन को रोकना सही होता है।

इस लिए मंत्री महोदय से मेरा अनुरोध है कि अगर किसी अधिकारी के विरूद्ध भ्रष्टाचार या अदक्षता की शिकायत की जाती है, तो उस के विरूद्ध सख्त एक्शन लिया जाना चाहिए। मध्य प्रदेश ने 3500 सरकारी कर्मचारियो को भ्रष्ट आचरण के आरोप के कारण नौकरी से निकाल कर एक उदाहरण प्रस्तुत किया है। इस तरह नये नौजवानो को सरकारी नौकरी मे प्रवेश कर के काम करने का मौका दिया गया है। आई० ए० एस० अफसरो को तो भारतीय संविधान के द्वारा यह संरक्षण दिया गया है कि उन को नौकरी से नही निकाला जायेगा। लेकिन जो भ्रष्ट अधिकारी हैं, उन के खिलाफ कड़ा एक्शन लेना चाहिए। इस बात की पूरी व्यवस्था करनी चाहिए कि सरकारी अधिकारी 20-सूत्री कार्यक्रम और देशहित के अन्य कार्यक्रमो को ईमानदारी के साथ लागू करे, ताकि हम गरीबो को जो फायदा पहुचाना चाहते हैं, हम वह पहुचा सके।

इन शब्दो के साथ मैं इस बिल का समर्थन करता हू।

श्री जगन्नाथ मिश्र (मधुबनी) उपाध्यक्ष महोदय व्यक्ति से बडी पार्टी होती है और पार्टी से बडा देश होता है। और जब देश-हित का प्रश्न आता है तो चाहे हम किसी भी दल के हो और किसी भी विचार के हो, हमे अपने निजी और दलगत विचारो को छोड कर देश-हित मे सोचना बात करना और काम करना चाहिए। मुझे अफसोस है कि ऐसा नही हो पा रहा है।

1971 के चुनावो मे काग्रेस की शानदार जीत हुई। फिर बगलादेश के युद्ध मे हमारे देश को विजय प्राप्त हुई। 1972 मे विधान सभाओ के चुनावो मे भी काग्रेस की भारी जीत हुई। इस जीत को विरोधी पक्ष के लोग बर्दाश्त नही कर सके। वे बहुत परेशान हुए और उन्होने इस उद्देश्य से आपस मे एक गठबंधन किया कि किसी तरह से कांग्रेस सरकार को बदनाम किया जाये। और उन्हे ऐसा करने का मौका भी मिला।

जब देश मे सूखा पडा और उपज की कमी हुई तो वह एक राष्ट्रीय समस्या थी और राष्ट्रीय स्तर पर ही उस का समाधान हो सकता था। प्रधान मत्री ने इस बारे मे इन लोगो से बार-बार आग्रह किया, इन से बाते की और सलाह-मशवरा किया कि इस समस्या का समाधान कैसे किया जाये। लेकिन ये लोग तो टु फिश इन ट्रबल्ड वाटर्ज मे दक्ष है। उन्होने जनता को भडकाना शुरू किया। परिणाम यह हुआ कि फैक्टरिया बन्द कर दी गई हडताल, बध और घेराव शुरू हुए। स्थिति इस तरह से कर दी गई कि देश के लोग ही नही बाहर के लोगो को लगता था कि हिन्दुस्तान मे कैसी स्थिति हो गई है और इस स्थिति मे प्रधान मत्री क्या कर सकती है। लेकिन मुझे विश्वास है कि प्रधान मत्री सब कुछ जानती हैं और वह इतनी दक्ष है कि ऐन मौके पर काम करती हैं। जो विचार वह करती हैं वह सही विचार होता है। तो उसी परिप्रेक्ष्य मे उन्होंने इमर्जेन्सी का उदघोष किया जिस का असर देश पर बहुत अच्छा हुआ। देश हित मे इसे लोगों ने कबूल किया, कुछ राजनैतिक पार्टियो को छोड कर क्यो कि उन्हे तो बडी हैरानी हुई। वे तो फैक्टरिया बन्द करने मे लगे थे। वे तो चाहते थे कि किसान खेती न करें पैदावार खेती मे या फक्ट्री से न हो। यही सब करने मे वह समय बिताते थे। लडाई झगडा और उपद्रव कराने म वह लगे रहते थे। यह सब वह नही कर पाए, इसलिए यह विधेयक जिस के जरिए यह काम हुआ है वह इतना बुरा इन को लग रहा है। लेकिन इस विधेयक मे ऐसा क्या है जिस मे ये इतने परेशान है? विधेयक मे यह है कि अगर कोई राष्ट्र के अहित म काम करे तो उसे अरेस्ट किया जाए। वह अरेस्ट कौन कर सकता है? दरोगा नही, एक थर्ड क्लास मजिस्ट्रेट नही वह अधिकार

[श्री जगन्नाथ मिश्र]

केवल डिस्ट्रिक्ट मजिस्ट्रेट को है या ऐडीशनल मजिस्ट्रेट को है। पुलिस को हरगिज नही है। (व्यवधान) मुझे जैसा मालूम है मैं अपनी बात कह रहा हू । मुझे जो मालूम है वह मैं बता रहा हू । आप को जो मालूम है वह आप अपने वक्त मे कहिएगा।

मीसा का दुरुपयोग होता है ऐसा इल्जाम इन लोगो ने लगाया है। लेकिन सरकार की ओर से कडाई है कि किसी तरह का अनुचित व्यवहार किसी के साथ न हो। इसके लिए गृह मत्री और गृह मत्रालय बिलकुल तत्पर और सावधान है । यदि इस तरह की बात कही उन के सामने आती है तो कठोर से कठोर दण्ड देने मे वह नही हिचकते है और हिचकना भी नहीं चाहिए।

जो विधेयक मे अकित है कि जो व्यक्ति गिरफ्तार किए जाय वे उस जानकारी और सामग्री को जिस के आधार पर वह गिरफ्तार हुए हैं नही जान सकते, इस से ये लोग ज्यादा घबराते हैं। लेकिन इसकी जानकारी सरकार को होती है और केन्द्रीय सरकार के मागने पर राज्य सरकार उस को देती है और अगर उस मे कोई गलती रहती है तो उस का सुधार होता है। इस मीसा के अतर्गत किसी तरह का कोई अनुचित काम किसी के साथ न हो, इसी विचार से इस कानून के दायरे मे कुछ कमी रह गई थी, उस के लिए धारा 16 ए (8) जोड कर नियम मे सशोधन किया गया है जिस से केन्द्रीय सरकार को जानकारी सामग्री और आधार यह सब राज्य सरकार से मागने का हक होगा और उस पर कार्यवाही करने का हक होगा।

मैं समाप्त कर रहा हू, लेकिन समाप्त करने से पहले मैं आप का ध्यान इस ओर आकर्षित करना चाहूगा कि मेरा क्षेत्र मधुबनी नैपाल के बार्डर पर पडता है और वहा अभी भी इस एमर्जेन्सी मे तस्करी का काम धडल्ले से हो रहा है। कुछ ऐसे राजनैतिक नेता विपक्ष के हैं जो गिरफ्तारी से बचने के लिए नैपाल भाग जाते है और चोरी छिपे आ कर लोगो को उभाडते हैं। गृह मत्री महोदय इस बात की छानबीन करें और गलती करने वालो को कडी सजा दें। इन शब्दो के साथ मैं इस विधेयक का समर्थन करता हू।

MR DEPUTY-SPEAKER At 2 P M, the Home Minister is expected to reply to the debate

The Deputy Home Minister is here We have just four minutes I wonder if Mr Aga can complete in four minutes. We want discipline everywhere Let us have this discipline here also.

SHRI SYED AHMED AGA (Baramulla) Mr Deputy-Speaker Sir, I welcome this Bill, and while welcoming it I remind the Opposition Members who have opposed this Bill that even in Western countries more especially in the United States, Abraham Lincoln had suspended *habeas corpus* in the case of emergency and war That being so, I feel that these amendments have become necessary because a situation has arisen in which it is feared that if the disruptive forces are not effectively handled, they may pose a serious threat to the country

The point is that both internally and externally we have a situation where there is a danger Emergency has not ended that danger Therefore, it has become necessary that we have got to be a little more alert

I am getting just a few cases

MR DEPUTY SPEAKER Why not say something on your own on this Bill instead of quoting because you do not have time?

SHRI SYED AHMED AGA If you allow me to speak, I will try to do it

I am giving you the news item of the 20th. This is what the *Times of India* has said about the *Washington Post* news that they chided CIA for a slip, on Pokharan. Is that not a danger? So, I say, if the House Committee on the Intelligence takes CIA to task for an uncertainty, whether India possess ability to explore a nuclear device or not is a real danger.

Again, on 19th January, this is what Mr. Ford said and reiterated his faith in covert operations. Talking to the *Time* magazine, Mr. Ford said:

> "I strongly believe in covert operations and have no hesitation to say so. I do not know how a President could conduct foreign policy without a degree of covert operations."

Then, again, when the Senator exposed CIA, Mr. Ford did not say, stop assassination. He did not condemn it. What he said was, avoid assassination or in other words you may kill or you may not.

MR. DEPUTY-SPEAKER: It is 2 O'Clock now.

The hon. Member may try to conclude now.

SHRI SYED AHMED AGA: You have given me only one minute.

I would request that what I have spoken so far should be deleted from the proceedings. May I make that request?

MR. DEPUTY SPEAKER: I am not saying anything about that. Whatever you have spoken is on record.

SHRI SYED AHMED AGA: You allow me four minutes at least.

MR. DEPUTY SPEAKER: I will allow you two minutes more.

Can't you say something on your own instead of quoting what Mr. Ford said, what the other man said and all that? Now you may say something on your own on this Bill and conclude.

SHRI SYED AHMED AGA: I am talking about covert operations.

MR. DEPUTY SPEAKER: Now, the Home Minister please. If you do not cooperate, I cannot help it.

SHRI SYED AHMED AGA: You do not want to allow me to speak. I will not attempt to speak when you are presiding. I have had this experience earlier also. This is not the first time.

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): Mr. Deputy-Speaker, Sir, as it has become necessary for me to come before this House with a Bill in consequence of the Ordinance passed earlier, naturally, the hon. Members have taken this opportunity to criticise not the provisions of the amending Bill but generally the fact of detention and the curtailment of the rights of citizens in this country. I thought that all this, why a detention law had to be passed, why Emergency has been promulgated, why the right of a detenue to know the grounds of his detention has been taken away, etc., has been covered by the previous Acts made by this Parliament in its wisdom. I need not say on that.

Ordinarily, in normal times, apart from Emergency, in emergent situations, the rights of members or the rights of citizens in this country have to be exercised consistently with the rights of others. It was said long

[Shri K. Brahmananda Reddy]

before that your right or liberty ends where the other man's right or liberty begins. Your right of absolute personal liberty has been curtailed by the natural law itself. My submission is that in 1971, this very House had passed this MISA legislation. At that time, there was no Emergency in force neither of 1962 nor of 1971.

SHRI INDRAJIT GUPTA: There was a war going on.

SHRI K. BRAHMANANDA REDDY: 1971 Emergency came subsequently. At that time when there was no Emergency either on account of external aggression or internal disturbances, it was felt necessary to have a law where the executive of a State is empowered to detain persons without trial. You are aware, Sir, that two years or so prior to MISA, there was the Preventive Detention Act which was in force for a number of years and this MISA of 1971 came at a time when there was no Emergency, no grave situation and when this Parliament in its wisdom had thought it fit to say that persons had got to be detained without trial. After all detention means to restrict one's movement, it is not a punishment, it is a question of restricting one's movement. You anticipate what a man is likely to do or about to do and what he is saying is going to adversely affect the society, and therefore, you detain him in order to prevent him from doing that.

You may remember, Sir, that under Article 22(5) of the Constitution, even under normal times the grounds of detention need not be disclosed in public interest. Even under the MISA Act of 1971, we have got a clause—I have not got it here—which says that though grounds have to be given in certain circumstances where in the public interest the executive feels that it is not necessary to do so, they need not disclose the reasons. Why I am referring to that is that this Act of MISA 1971 was passed by this House at a time when there was neither external aggression nor emergency on account of internal disturbances. It is mentioned that nothing in Sub-Section (1) shall require the authority to disclose facts which it considered to be against the public interest. A likewise provision, as I have submitted is under the Constitution itself in Article 22(5). Therefore, if that is the position, if the executive has to be armed with certain powers for runing the country for overcoming the difficulties, for controlling situations and for not allowing disorder to prevail in this country, certainly that has to be done even under normal circumstances; they have to be given certain little extraordinary powers, powers which are not generally given.

Even here, you may remember, Sir, that after the proclamation of Emergency in June 1975, Clause 16A was added. As I have submitted yesterday, the maximum life of clause 16A is 12 months.

Mr. Indrajit Gupta was mentioning yesterday, 'What is this? You are making these things permanent' and things like that. Therefore, I have to say—even yesterday I said it and even to-day I will repeat it—that the maximum life of clause 16A which debars the right of a person to obtain grounds from the Government is only 12 months and, therefore, it is restricted in character.

Even to-day, hon. Members may be aware that there are two kinds of dentions. One is the Ordinance where the original MISA of 1971 applies under which a person, if he is detained, has to be given the grounds of detention and where the Advisory Boards will come in and they will look into. All that procedure is available to him even now

SHRI INDRAJIT GUPTA : Where?

SHRI K. BRAHMANANDA REDDY: I am telling you. Please wait and listen.

Only, in cases where a declaration is made by the State Government that it is not necessary, then alone, there is no obligation on the part of the State Government or the detaining authority to give reasons. Therefore, I want the hon, Member to note the distinction Even to-day I know of cases where even after the promulgation of this emergency, even after the declaration of this emergancy, there were persons who were detained to whom grounds of detention were given and all the facilities which are made available under the MISA Act of 1971 are still available to him....

SHRI INDRAJIT GUPTA: Have you got any Advisory Board in any of the States?

SHRI K. BRAHMANANDA REDDY: The Advisory Boards must have been there.

SHRI H M. PATEL: Are they there?

SHRI K. BHAHMANANDA REDDY: Mr. Indrajit Gupta, my point is this. Only when the State Government makes a declaration as is mentioned in Clause 16A or the other clauses, then alone, the obligation on the State Government, to give grounds of detention and other things do not become necessary.

Therefore, my idea in putting this before you is to show that even during this Emergency, how restricted the power is that is taken by the executive.

SHRI H. M. PATEL: Very very restricted!

SHRI K. BRAHMANANDA REDDY: Now, it has been said and I do not want to repeat it too many times as it has been debated and debated quite often in both the Houses, that this is an extra-ordinary situation—all of us will agree and Mr. Indrajit Gupta and his Party have also said—which has arisen in the country—they have agreed there—that it has to be controlled if the ordinary democratic life of this country is to proceed peacefully. Now, therefore, in an extra-ordinary situation where attempts were being made....

SHRI S. M. BANERJEE (Kanpur): In that case, if you are acting on our advice, our advice is: Please withdraw this Bill.

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): An afterthought.

SHRI K. BRAHMANANDA REDDY: I value your advice, but I do not value capricious advice. If you are going to change your opinion every night, I cannot give much value to it.... *(Interruption)* I am not trying to taunt you. I am not trying to say that you have accepted then and because you have agreed, therefore, you agree now. I am not saying that. What I am trying to point out is that in an emergency, in a situation, which it is felt by many, is going beyond limits, that it is getting out of control, that instead of democracy, there will be something else in this country, that no law and order prevails, that unconstitutional methods are being resorted to, that violence is being indulged in, that undemocratic methods are going on, that right reaction is trying to take control of the situation by devious methods of help from foreign countries, etc., it was felt that the ordinary rights available to citizens in this country had to be curtailed in some measure. In fact, I need not waste your time

[Shri K. Brahmananda Reddy]

in trying to go into what England has done and what is there in England, what is there in the U.S.A., Ireland, etc. I am not talking that. If you want I can quote them also to you.

The only point is, in all democracies, in all places even in normal times, the Executive has got to be armed with certain powers to keep disorder under control, to keep law and order in the country and more so, in an emergent situation. In a situation where the peaceful life of the entire State is threatened and gravely threatened, it becomes necessary for all of you, in your wisdom, to give some powers to the Executive to handle the situation effectively. That is my submission.

The Advisory Boards, for your information, continue to function in the States to deal with normal detentions They have not been wound up

SHRI DINEN BHATTACHARYYA (Serampore): What is normal and what is abnormal? What you have stated is not in existence.

SHRI K. BRAHMANANDA REDDY: That is all right, Mr. Bhattacharyya There is a fundamental difference in approach itself and, therefore, I am not trying to convince you. I am only trying to convince any friend who can reasonably be convinced

One point has been made by Shri Indrajit Gupta—why not wait? Let the things be handled by the Supreme Court Arguments are going on for and against You can wait Even Shri Somnath Chatterjee has said "Why do you suspect these courts? Why do you not have trust in them?" Even under the previous MISA only 15 per cent of the detenus have approached courts for relief Therefore. why do you suspect them?" It is not a question of suspicion We have as much respect—and more respect than the speaker himself—in the institutions created by the Constitution in the judiciary, in the executive, and in the Parliament. We are guided by the Constitution and, therefore, it is not a question of suspicion It is a question of principle involved It is not as if High Court is going to crash detention or not. But the question is one of principle involved 'in public interest' and whenever it is felt necessary by the Executive, in a situation like this, reasons should not be disclosed and there should be no right to the individual to approach the court in an indirect way. What has been prevented is the course which is sought to be made use of in an indirect way.

SHRI DINEN BHATTACHARYYA: Are you speaking from the core of your heart?

SHRI K BRAHMANANDA REDDY: It is certain that I am not speaking from your heart.

Yesterday also Shri Indrajit Gupta was mentioning that there is no right of representation even It is not so If you read that clause carefully .

SHRI INDRAJIT GUPTA: Please read 16A (5).

SHRI K BRAHMANANDA REDDY: I am coming to that I want to tell you first and then you can read that clause.

It is not a question of disbelief It is not a question of suspicion It is not a question that supreme court judges or high court judges will act in a manner which would prejudice life in this country. It is not like that. It is a question of principle Mr. Jagannath Rao said this in his speech. Here is an ordinance which has been issued and all of you know the Constitutional obligation which is there to

convert it into an Act of Parliament. Therefore, the argument because you are suspecting the court, therefore you are bringing in this legislation is not correct. As I said during my introductory speech on this amending Bill, this is only intended to make clear some legal difficulties anticipated. That is all. Please see sub-clause (5). It says:

"In making any review, consideration or reconsideration under sub-section (2), sub-section (3) or sub-section (4), the appropriate Government or officer may act on the basis of the information and materials in its or his possession without communicating or disclosing any such information or materials to the person concerned or affording him any opportunity of making any representation against the making under sub-section (2),...."

The point is this. The obligation that was on the executive to furnish him the opportunity, to give him grounds to enable him to make a representation, is not there.

SHRI INDRAJIT GUPTA: I can make a representation even if you don't give me grounds. Why should you not allow me to do it?

SHRI K. BRAHMANANDA REDDY: While you spoke you said, he has no right of representation. Can he not make representation to Government, you asked.

SHRI H. M. PATEL: Can he make representation?

SHRI K. BRAHMANANDA REDDY: He can make representation; there are several instances.

SHRI DINEN BHATTACHARYYA: Why don't you call the Attorney General here?

SHRI H. M. PATEL: I don't think he is likely to be better or more cogent.

SHRI K. BRAHMANANDA REDDY: This obligation on the executive to afford him, as is mentioned here, an opportunity of making any representation, is just not there. But the person detained or any person on his behalf can make a representation. And, in fact, they have been made. I can give you very many instances where they have been made.

SHRI INDRAJIT GUPTA: To whom?

SHRI K. BRAHMANANDA REDDY: To the Central Government and State Government, not only by the detenues, by relations or even M. Ps. I can give you details where I know. In the Central Government 193 representations have come to us. We consulted State Governments. 20 per cent of them have been released.

SHRI S. M. BANERJEE: Our main concern is this. The right to make representation should be there and you cannot stop me from writing so many letters to the Prime Minister or the Home Minister. Why should it not be sent from the jail itself? The question is whether I have this statutory right of representation—proper representation to the proper authorities for the proper redressal of my grievances. That is the main difficulty.

SHRI K. BRAHMANANDA REDDY: Sir, under this amending Bill or the previous Bill, you have no right, according to us, to approach a court and seek a remedy which has been barred. But, for a detention, anybody, on his behalf, has a right to make a representation either to the State Governments or to the Central Government. I am telling you from the facts that representations have been made to the Central Government against detentions and they have been looked

[Shri K. Brahmananda Reddy]

into in consultation with the State Governments and twenty per cent of them have been released.

SHRI H. N. MUKERJEE (Calcutta—North-East): Is that allowed to the discretion of the government and the voluntary action on the part of some persons and not to any provision of law which would entitle a person to make a representation which, you say, you are practically receiving and considering?

SHRI K. BRAHMANANDA REDDY: Professor Mukerjee, this disclosure of grounds and making a representation to a court of law has been taken away even under the July amending Act; it is not being taken away now. That is why, as I submitted, the whole trouble is that, without trying to understand what the Bill comprehends or what the present Bill is about, you are trying to criticise the very act of detention, the very act of MISA, the very act and the attitudes of parties—political parties—which is a different issue. We are on the amending Bill where we seek to clarify certain points which we thought were necessary to remove the legal difficulties. Therefore, my submission is this. You have looked at it from that angle. It was in July, immediately after the promulgation of the ordinance, when the House met, that this 16A clause was, for the first time, introduced. There was no 16A clause previously. This was, for the first time, introduced wherein the right of any person to receive the grounds for detention etc. was taken away. It was felt that in public interest, in the safety of the nation, it was not necessary to do so. And it should not be done. In fact, in this amending Bill, the Officer is prevented from making any disclosure as to the source of his information or the material on which he is depending. It is made obligatory on the officer. Therefore, if you look at it from that angle, you will appreciate kindly that this is a limited scope of the present amending Bill.

One other point has been made by Shri Indrajit Gupta. He tried to quote some passages from newspapers regarding the arguments that were being advanced by the Attorney-General, Shri Niren De. These matters are *sub-judice* and so I do not want to go into them. I do not want to go into the *sub-judice* matter and make an attempt to answer out of context. It is not necessary. But our point is clear namely, that in the public interest and, in a situation like this, as Parliament has already given the Executive the right under Clause 16A of the Act, 1975 passed in July, it will not be necessary for the Executive to disclose the grounds; it will not also be necessary for the person to be detained to approach or to seek a redress from a court which is not otherwise available to him. That is my point. Therefore, you must kindly try to appreciate this position.

One other point that has been made is this—that is political. Of course I do not question the motives. They are laudable and we agree with them. The point is that you are enabling some western powers or some other agencies outside the country to exploit what you have been doing or what your leaders have been doing. We know their attitude. The Prime Minister has referred to it in her public speeches not only here but even outside what the attitudes of these foreign powers were at times of Bangladesh and at other times. These very western agencies had not a word of condemnation for all those 17 or 18 months when unlawful acts were indulged in, when violence was indulged in, where unconstitutional methods were resorted to, where undemocratic doing of things was persisted in, where insults to members of the legislatures and Parliament were indulged in, by opposition parties. Nobody said a word.

Therefore, while we should be careful to see how we present our image, still there are certain people who cannot be convinced in spite of what you may say because their attitudes are different, their attitude towards this country in particular not only now, but even from the time that we gained our independence. Therefore, we should be careful, but we should not be over-sensitive about it. That is all my plea. It does not mean that I or anybody on behalf of Government, either a lawyer or other person. should say something that may lead others to exploit that statement, to propagate in the world that India is going out of the democratic orbit.

Now there are some other points which have been raised either by Shri Chatterjee or others. One other point raised was this, about further detention. I can understand after the expiry of a detention order, there may be cases where a further detention be comes necessary. Indrajitji asked: even when the Government revokes it, why do want to say that they can issue a further detention order? Obviously, you must have seen that there may be cases—and there were cases, in fact—where a man who was detained is a man who has got to be detained again in the interest of public safety. Still on account of certain technical defect or some technical flaw, the order had to be revoked. Certainly the interests of the country require that he has to be detained again. Therefore, to cover that this is there.

SHRI INDRAJIT GUPTA: This revocation is meant only for technical defects.

SHRI K. BRAHMANANDA REDDY: Yes.

SHRI INDRAJIT GUPTA: I see.

SHRI K. BRAHMANANDA REDDY: Technical defects and defects of that kind.

One other point that has been made and is being made consistently is: What is this, you are giving this absolute power to all petty officials? I tried to submit even yesterday that it is not so. We have been very careful in that. Under the statute itself, it is only the District Magistrate or even an Additional District Magistrate who must be specially empowered. The District Magistrate, the Police Commissioner or an Additional District Magistrate who is specially empowered, and of course, the State Government or the Central Government—these are the only authorities who are competent to issue the order of detention.

Yesterday you were also saying that a man can be detained without an order, without a written order.

SHRI INDRAJIT GUPTA: I did not say it. Niren De had said it.

SHRI K. BRAHMANANDA REDDY: I do not know what Niren De said. You have not heard him, I have not heard him.

SHRI INDRAJIT GUPTA: We must go by press reports. They have not been contradicted.

SHRI K. BRAHMANANDA REDDY: You are aware, of course that when you argue, several questions arise.

SHRI JAGANNATH RAO: Hypothetical questions.

SHRI K. BRAHMANANDA REDDY: Hypothetical questions, so many questions which are not generally answered here are posed. In what context, in what situation, to what question, to cover what point a lawyer has made a reply, I am not here to go into that. I have no means either. Therefore, I cannot merely depend upon some press reports. I would earnestly request you also not to merely depend on press reports.

SHRI S. M. BANERJEE: We do not depend on Niren De or on press reports.

SHRI DINEN BHATTACHARYYA: We depend on the Bill.

SHRI S. M. BANERJEE: He is the Attorney-General of the country. Why don't you restrain him?

SHRI K. BRAHMANANDA REDDY: It is not a question of not depending. I would only say that you have to see the context in which a man has said what. Supposing, you have said something here and it is quoted outside out of context.

SHRI S. M. BANERJEE: Now it is not quoted like that.

SHRI K. BRAHMANANDA REDDY: I am very sorry.

I am only covering the point, namely, it is not correct to say that this absolute power which you think is absolute, which in my opinion is not absolute, is given to all kinds of petty officials; it is only given to the Central Government, or to the State Government or to the district magistrate or a police commissioner or an additional magistrate specially empowered Therefore, you would see that we are aware that there is a possibility of this power being non-used or misused. Those of us who are in public life have seen detentions before for much longer times. We know how this can be misused. Therefore it was our particular attempt to see that powers were given to certain types of officers who could not generally be expected to be careless or do any thing in a cavalier fashion. It does not mean also that there will not be some cases where they could have been misused I am not taking any brief for them. On the other hand I should say from the floor of the House that in all such cases where officers in the discharge of duties, for any *malafide* reason or for other reason, try to do certain things which are not justified by circumstances, action will certainly be taken either by the State Government or the Central Government. As you are aware, the Prime Minister in the earliest of her letters written to the Chief Ministers said: please look into this yourself, personally; you must head the committee which reviews detentions; you may take in other members; you may take ministers or other senior officers. She said: those cases must be reviewed and seen by the Chief Ministers personally if possible, or at least by a committee, an impartial committee. My submission is that all precautions are taken. If I have time, I could quote to you several instances where on account of the representations, we in consultation with the State Governments have revoked orders; I shall give you the names but I have no time now. No friend here in Parliament either of this House or the other House can say that I had ever refused an interview either by an M.P. or anybody in preventive detention or other attempts made by M.Ps. I have taken care to see to that; I call the officers concerned and ask them to get in touch with the State Governments immediately and find out and go into that question to the extent we can. It is not as if we are not aware of the possible misuse of this power. It is not the opposition parties. Friends on my side of the House may have certain complaints to make and they do. Some of them may be justified.

SHRI INDRAJIT GUPTA: How many from your side have you locked up?

SHRI K. BRAHMANANDA REDDY: Please take it from me that we do not lock up people because they belong to this side or that side; we lock up people because of our anticipation of what they were going to do. We do not distinguish among people; whether he is from CPI or he is from CPM or from BLD or the Janata Front, we do not lock him up because of that. The detaining authorities take into custody only those persons who are found or who are anticipated

to be dangerous to the life of the community.

SHRI K. GOPAL (Karur): I made a representation on behalf of a former colleague of Mr. Dinen Bhattacharyya who happened to be detained in Madras; it was considered and he was released.

SHRI K. BRAHMANANDA REDDY: . can also say that Shri Bhupesh Gupta had written to the Prime Minister about some people who were detained in Bihar, people belonging to CPI; and I know that two of them had been released.

SHRI INDRAJIT GUPTA: Seventeen of them are in jail.

SHRI K. BRAHMANANDA REDDY: May be. It is not proper for me or for you to take a brief on behalf of all party members; just because he is a CPI member or he is a Congressman, it does not automatically follow.

SHRI INDRAJIT GUPTA: I will take a brief on behalf of my party. Our party works according to the policies, not like your party.

(*Interruptions*)

SHRI K. BRAHMANANDA REDDY: Mr. Gupta, I do not want to offend your feelings. But I do say that you don't think too much of your party.

(*Interruptions*)

It is not a question of offending the feelings of any Member or the party. Of course, your party has a right to exist, has been existing and continues to exist.

(*Interruptions*)

My submission to you was that it is not a question of detention being dependent on the party affiliations of persons.

SHRI DINEN BHATTACHARYYA: I took up with you three cases. In the Namrup Fertiliser plan, 4 union leaders were asked to join the INTUC. They did not comply with that request. So, they were taken in custody and they are still under detention.

(*Interruptions*)

SHRI K. BRAHMANANDA REDDY: After your experience of public life, you may understand that even though what you say unfortunately happens to be correct.. . (*Interruptions*) One swallow does not make a summer. Therefore my submission to you would be that these are being looked at objectively to the best extent that the detaining authority can form an objective opinion of a situation. After all somebody has to exercise this objective opinion, whether it is a State Government or the Central Government. Therefore, even under an ordinary law, I may try to go further and ask you, even supposing it is an ordinary law, supposing it is a bonus act, supposing it is some other Minimum Wages Act, there is a bureaucracy who is to implement. It is not as if you could go and do it. It may be that there are certain lapses, it may be that there are certain shortcomings it may be that there are certain failings, but it is not that I am not trying to defend anybody wo does it, whether it is an officer or a bureacrt or any man in high authority who does anything on the ground of *mala fide* reasons. Certainly not. Government have no intention of trying to support or defend any *mala fide* action.

(*Interruptions*)

Sir, we keep the doors wide open and allow everybody to question on the *mala fide* action. You must have experience that thousands of *habeas corpus* applications and petitions under Article 226 were allowed. Therefore, Government have no intention whatsoever of trying to defend or support any *mala fide* action and the Government do not want anybody to do that or issue detention orders *mala fide*. We are here.....

SHRI DINEN BHATTACHARYYA: *Prima facie* you have to decide....

SHRI K. BRAHMANANDA REDDY: Naturally.

SHRI DINEN BHATTACHARYYA: What is the allegation against Mr. Noorul Huda? Is it because he has supported the cause of the teachers he has been detained under MISA? Do you mean to say that it is a *bona fide* action on the part of the Government?

SHRI K. BRAHMANANDA REDDY: Now, one other point has been made by Mr. Somnath Chatterjee, namely, "while there was external aggression and a proclamation of emergency, etc., why did you want to have more powers?" After all both these are not qualitatively different—an emergency against external aggression and an emergency because of local disruptions. They are quantitatively different. Therefore, it is within your knowledge, more so than myself, that even in 1962 or in 1971 when the emergency was declared, there was a unanimous resolution of this House—I suppose I do not know and I am not aware of that.

Therefore, that is a different aspect Here is a question of internal situation. Naturally, it means activities of political parties, of banned organisations, of certain groups, foreign agents and others ill-disposed towards India The two are absolutely different. To put them on equal footing would absolutely wrong in my opinion and I hope you would also agree with it.

I take this opportunity to inform the House that all precautions and possible steps have been taken to see that all those who are detained are treated well and properly. Without revealing figures, if you have any faith in me, I can inspire you in the belief that the review or re-consideration enjoin under the Act is being made sincerely either by the State Government or the Central Government. It is a conscious exercise of that power.

AN HON. MEMBER: Conscientious?

SHRI K. BRAHMANANDA REDDY: There need not be conscientious exercise. It is enough if it is conscious. Conscience does not come in. I have got figures of individual cases where representations have been made and how many have been released. In fact, apart from the 20 persons I have said as having been released subsequent to the representations made to the Central Government here, there are other cases where in some States MISA is sought to be used for reasons other than those for which it was intended. For instance, in Tamilnadu, a case has arisen where under MISA a large number have been detained for botlegging. We understand that it is not legal to do so under MISA. They can be detained under DIR or for contravention of some other rule or Act, but not under MISA. Therefore, they were released.

Shri Somnath Chatterjee raised the issue of the health of Mr. Jyortimoy Bosu under detention. The allegations have been enquired into and they are not found correct. With regard to the others also, as many facilities as possible are given. Mr. Indrajit Gupta raised the point in his last speech about supply of periodicals, newspapers, etc. All these are being supplied. Interviews are being arranged. Their health is taken care of. Mr. Samar Mukherjee made a complaint about some friends in Indore jail. They have been taken to the necessary hospital and treated properly.

There are some rumours going about regarding the number of persons detained. I am not anxious to give the number but even before the declaration of the emergency on 25th June as many as about 5000 people were under detention. Even today the number is not very significantly larger than that. Therefore, why spread rumours that lakhs and lakhs have been detained?

Even in the case of high personages whenever any calamity has occurred in their families or for reasons of health and for other reasons, they have been released. I am not speaking of Mr. Jayaprakash Narayan but Mr. Biju Patnaik has been released, Mr. Mehtab has been released on parole; Mr. Jyotirmoy Bosu is somehow or other, continuing in his own house; Smt. Vijay Raje, Piloo Modyji and many others have been released. What I am trying to submit is that detentions are not made recklessly. It does not also mean that there cannot be any stray cases of misuse.

One other point which Indrajit ji made was about non-use. There are several cases of RSS, Jamait-e-Islami, Anand Marg, etc., regarding which he said, "You should have taken them into custody but you have failed in your duty to apprehend them" and all that. It has been our effort to distinguish and try to detain persons who can be a danger to the public order of society. I do not claim that all activists of RSS or Ananda Marg have been detained or apprehended. But at the same time, I can tell you that there are several people who say: "We have changed our complexion, we have changed our party and we are coming into Congress or we are coming into some other organisation", but we have not taken in that type of assurance. We make our own assessments. It may be that in a case or two we might have erred but we make our own assessments. It does not mean that we take it for granted. You may be committing that type of mistakes in several States but not we. Therefore, I would request this House to consider this amending Bill in the light of what I have said and the limitations that have been there and this House which had been generous in enacting legislation in July, 1975, give the executive that amount of authority which is necessary to deal effectively with the situation and continue to give their support and cooperation.

SHRI INDRAJIT GUPTA: I listened to the hon. Home Minister very carefully. I am sorry to say that all his persuasive powers have not convinced me to withdraw my resolution of disapproval.

SHRI K. BRAHMANANDA REDDY. Bad luck!

SHRI INDRAJIT GUPTA: Bad luck for both of us.

He laboured the point that already in last July we had amended the MISA to provide for two things, namely, that the grounds of detention would not be supplied to the person detained and secondly that he has no right to move the court. I know that very well and I did not deny that in my arguments. I did not base myself on these two premises because they have already been passed and incorporated in the statute book and so, there is no point in arguing on that. Within the framework of the Act as it stands now after its amendment in last July, I was still arguing that even if he is not provided with grounds of detention, why should the Bill explicitly bar a detenu from making a representation. That was my point. He has met my point by saying that there is nothing to prevent him from making a representation. That means, outside the ambit of this Bill or Act, he can make an ad hoc representation. He or somebody else on his behalf can write a letter and he says: "I have been receiving many such letters". That is not the point. Anybody at any time is free to write a letter to the Home Minister or the Prime Minister. Whatever the fate of that letter might be, that is a different matter. My point was that, within the bill itself, why

[Shri Indrajit Gupta]

should it be explicitly be laid down that he will have no right to make a representation? He is not making a representation on the grounds, because they are not supplied to him. But the fact is that I am locked up and a declaration is made by the appropriate government that I am being detained. On that basis, I should have a right, within the Statute, to make a representation, if I choose to do so. I do not think he has answered that point satisfactorily. Secondly, I had raised two other points also; but I do not think he has replied to them. Why was this change necessary—whereas previously the position was that the State government authorities had to forward to the Central Government a report in respect of the detention order, now it is amended to say that all that they have to do, is to report the fact to the Central Government. Obviously there is some difference in the two wordings. Otherwise they would not have brought in this amendment. One is submitting a report on the detention, to the Central Government. The other thing is that they have simply to report the fact that they have detained somebody. Of course, there is a specific provision that the Central Government may call for a report: but why is this change being made? This change is rather ominous No reply was given. My other point is whether it is now intended to make the declaration of detention the same as the approval of the State Government. That is what this amendment amounts to. The mere fact that the State Government has made a declaration under sub-section (2) of the detention order shall be deemed to mean that the State Government has approved such a detention order, i.e., by virtue of making this declaration. I wanted to know why this change has been made. No reply has been given to that point also. The main point that I had raised was that the position to-day when we are debating this bill, is not the same as the one in July, merely by virtue of the Presidential Order which has been promulgated under Article 359 suspending completely, Articles 19, 21 and 22; and the approval of the Parliament is not required for it. I can well understand the hon. Minister's saying that since the matter is *sub-judice* and all that, he does not want to give any opinion on it. I cannot give any opinion on it either since it is *sub-judice*. That is why I confine myself to the arguments which, as reported in the Press, are being advanced before the Supreme Court on behalf of the Government. I cannot take it that all these reports are cases of misreporting. After all, they also have to go to the censor, before being published. There may be some error, 1 or 2 small errors; but after all, it is being reported extensively, including the questions asked by the judges and the replies given, etc. Therefore, his fear that something is being reported in the Press out of context, is not correct. Therefore, I say: "Why should you come rushing to the Parliament for this? Why not wait for the Supreme Court's decision?"

SHRI K. BRAHMANANDA REDDY: It is only because of a constitutional obligation.

SHRI INDRAJIT GUPTA: What constitutional obligation; are you sure? My argument was that if the Supreme Court upholds the arguments being put forward by the Government there, then a total, all-embracing, all-pervasive effect follows from that Presidental Order; and nobody has got any remedy of any kind left. That is what is being argued there by the Attorney-General and his assistants. So, I was only saying: Wait for that; don't try to stampede the Parliament into these amendments now You don't need them at all. We are now in this position, actually.

You may be in a happy position if the Supreme Court upholds the Government's point of view, the Government's implications or what the Government considers to be the implications or the width of the Presidential Order, as Shri Niren De put it. If the Supreme Court upholds that, you can happily come forward and say that for the duration of the emergency we are suspending MISA, because we do not require it. But I cannot agree that just because Government whimsically feels, therefore, at any time, irrespective of the situation and the circumstances, we must be called upon to approve any amendments that they bring forward. We are not prepared to do it.

Because, there is actually no remedy left, even according to the Attorney-General, against *mala fide* detention. I am not one of those who argue that the Government should have no power of preventive detention. I am not at all of that view. But, then, of course, it would be used in Tamil Nadu and Gujarat also. I do not want to hear complaints from the other sides about that.

AN HON MEMBER: Kerala also.

SHRI INDRAJIT GUPTA: Yes, Kerala also, if necessary. I am not one of those who campaign for civil liberties for the fascists. I am not going to do that. But the point is there is no remedy left against *mala fide* detention.

All the instances of misuse which have been quoted by so many Members only go to show a more alarming state of affairs. Only District Magistrates or Additional District Magistrates specially empowered for the purpose, on which the Minister laid so much stress, or the Police Commissioner, only people of this rank have been given this power. In spite of that, that this kind of misuse is taking place shows that whatever the administrative calibre of the officers of this rank may be, there are other motivations, there are political prejudices, there are class prejudices, there are sympathies for certain vested interests in our society, and that these officers are not above them. They act on these motivations very often.

Therefore, I had raised the question as to what is the remedy against *mala fide* detention. But there is no reply. And the Attorney-General and the Assistant Solicitor-General have made it clear that irrespective of whether you are rightly detained or wrongly detained you have no right. What is one to do? If you expect us to support it, I cannot support it. It is all right for you to get protection from the Presidential Order, it is good for you; then you need not bother about MISA.

The hon. Minister said, well, it may be that some hostile forces abroad will utilize some of these arguments against us. After all, we know who they are and why they are doing it. That is all right. You and I may know who they are, but the world at large does not know. Therefore, I would also request him at least to see that some restraint is observed in making these submissions before the court. Can the Presidential Order not be defended in the court without going to the extent of saying "I can shoot you, but you have no remedy; I can lock you up *mala fide*, but you have no remedy; I can lock you up even without an order, or even a law of detention being there, but you have no remedy". Is it necessary to say all these things in order to defend the Presidential Orders?

I do not know whether Shri Niren De has read the debate here or not, but today I find it reported in the press that he has resiled from his earlier submission because he says "I never said it" or "I never meant it". I have

[Shri Indrajit Gupta]

raised this point because it makes me unhappy to read these things. Not only the public image abroad but many people in this country are horrified with this kind of things.

SHRI H. M. PATEL: I hope you also would be exercise by that.

SHRI INDRAJIT GUPTA: Much more than you, Mr. Patel. You belonged to the old ICS, once very fond of doing these things.

15.00 hrs.

Finally I would say that the hon. Minister also said, "We do not detain people by seeing their party label, we see what their activities are or what their apprehended activities are, and then we take action We do not mind who they are, they may even belong to the Congress Party." Does the same thing apply to the releases, that I would like to know. In the case of releases also does he say, "We do not worry about the party label, we do not mind whether they belong to the banned organisations, the communal organisations, the rightist reactionary pro-imperialist organisations. It is enough, after having locked up a person, and he is still in jail, we somehow get convinced that he should be released, and we release him." He says, "No, we do not release a person simply because he writes a letter saying that he is joining the Congress." Then, on what basis? If you want lists again, I can give you how in Delhi itself so many Jana Sangh and RSS people are being released by your officials, whose loyalty to your Government is skin deep, who are throughly Janasanghi in their entire outlook and beliefs. What is your remedy against that, I want to know. That is why I have no faith in this bureaucracy of yours.

And as far as the health of the detenus and all that is concerned, I find Babuji is here. In the last session Babuji said in his speech on the floor of the House that their health was very good, but the censor cut it out. Then I asked the Minister in charge why the censor had cut it out. He said he did not know and he would find out. Later he came and informed me that the censor felt that if this news appeared in the papers that Babuji had said that the leaders were in good health, then the people would come to know that the leaders were in jail, and so, if it was not published, they would not know who was in jail. This time the Home Minister has much more freely mentioned various leading people and said that they are getting good treatment, facilities and all that. I do not know whether that will excite the censor's attention or not. That is a different matter, between you and your censor, you can think about it, but so far as we are concerned, I am afraid we are convinced about the need and urgency of these amendments in view of all that has already been passed and, above all in view of this Presidential Order and therefore, I will press my statutory resolution.

MR DEPUTY-SPEAKER The question is:

"This House disapproves of the Maintenance of Internal Secrurity (Third Amendment) Ordinance, 1975 (Ordinance No 16 of 1975) promulgated by the President on the 17th October, 1975."

The Lok Sabha divided.

Division No. 7] (15.07 hrs.

AYES

Banerjee Shri S. M

Bhattacharyya, Shri Dinen,

Bhaura, Shri B. S.

Chowhan, Shri Bharat Singh.

Durairasu, Shri A.

Dutta, Shri Biren.

Gupta, Shri Indrajit

Haldar, Shri Madhuryya
Halder, Shri Krishna Chandra
Hazra, Shri Manoranjan
Jharkhande Rai, Shri
Joarder, Shri Dinesh
Kathamuthu, Shri M.
Lakshmikanthamma, Shrimati T.
Mavalankar, Shri P. G.
Mohammad Ismail, Shri
Mohanty, Shri Surendra
Pandey, Shri Sarjoo.
Parmar, Shri Bhaljibhai
Patel, Shri H. M.
Patel, Kumari Maniben
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Sen, Dr. Ranen
Shastri, Shri Ramavatar
Shastri, Shri Shiv Kumar
Singh, Shri D N.

Noes—

Agrawal, Shri Shrikrishna.
Ahirwar, Shri Nathu Ram
Alagesan, Shri O. V.
Ambesh, Shri
Appalanaidu, Shri
Arvind Netam, Shri
Austin, Dr. Henry
Awdhesh Chandra Singh, Shri
Babunath Singh, Shri
Balakrishniah, Shri T.
Banerjee, Shrimati Mukul
Barupal, Shri Panna Lal
Basumatari, Shri D.
Bhagat, Shri H. K. L.
Bhargava, Shri Basheshwar Nath
Bhatia, Shri Reghunandan Lal
*Bhattacharyya, Shri S. P.
Bhattacharyya, Shri Chapalendu
Bhuvarahan, Shri G.
Brahmanandji Shri Swami
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chandrashekharappa Veerabasappa Shri T. V.
Chaudhary, Shri Nitiraj Singh
Chhotey Lal, Shri
Chhutten Lal, Shri
Chikkalmgaiah, Shri K.
Daga, Shri M. C
Dalbir Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Dhamankar, Shri
Dharamgaj Singh, Shri
Dhusia, Shri Anant Prasad
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Gavit, Shri T. H.
Giri, Shri S. B.
Giri, Shri V. Shanker
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan

*Wrongly noted for Noes.

Hansda, Shri Subodh
Hari Singh, Shri
Hashim, Shri M. M.
Horo, Shri N. E.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jeyalakshmi, Shrimati V.
Jitendra Prasad, Shri
Joshi, Shrimati Subhadra
Kadam, Shri J. G.
Kamakshaiah, Shri D.
Kamala Prasad, Shri
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kavde, Shri B. R.
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Krishnappa, Shri M. V.
Kureel, Shri B. N.
Lambodar Baliyar, Shri
Laskar, Shri Nihar
Lutfal Haque, Shri
Mahajan, Shri Vikram
Maharaj Singh, Shri
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Malhotra Shri Inder J.
Mallanna, Shri K
Mallikarjun, Shri
Mandal, Shri Jagdish Narain
Mandal, Sri Yamuna Prasad
Manhar, Shri Bhagatram
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri Bibhuti
Mishra, Shri G. S.
Mishra, Shri Jagannath
Modi, Shri Shrikishan
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Nimbalkar, Shri
Oraon, Shri Kartik
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Damodar
Pandey, Shri Narsingh Narain
Pandey, Shri Tarkeshwar
Panigrahi, Shri Chintamani
Paokai Haokip, Shri
Patel, Shri Prabhudas
Patil, Shri Anantrao
Patil, Shri Krishnarao
Patil, Shri S. B.
Patnaik, Shri J. B.
Peje, Shri S. L.
Raghu Ramaiah, Shri K.
Rai, Shri S. K.
Rai Shrimati Sahodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri
Raju, Shri P. V. G.
Ram Dayal, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ram Swarup, Shri
Ramshekhar Prasad Singh, Shri
Ranabahadur Singh, Shri
Rao, Shri Jagannath
Rao, Dr. K. L.
Rao, Shri M. S. Sanjeevi
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rao, Shri Pattabhi Rama
Rathia, Shri Umed Singh
Raut, Shri Bhola
Reddy, Shri K. Ramakrishna
Reddy, Shri P. Ganga
Reddy, Shri P. V.
Reddy, Shri Sidram

Richhariya, Dr. Govind Das
Rohatgi, Shrimati Sushila
Roy, Shri Bishwanath
Saini, Shri Mulki Raj
Salve, Shri N. K. P.
Samanta, Shri S. C.
Sangliana, Shri
Sankata Prasad, Dr.
Sarkar, Shri Sakti Kumar
Sathe, Shri Vasant
Satpathy, Shri Devendra
Savant, Shri Shankerrao
Savitri Shyam, Shrimati
Sayeed, Shri P. M.
Sethi, Shri Arjun
Shahnawaz Khan, Shri
Shambhu Nath, Shri
Shankar Dayal Singh, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Shri Madhoram
Sharma, Dr. Shankar Dayal
Shastri, Shri Biswanarayan
Shastri, Shri Sheopujan
Shivnath Singh, Shri
Shukla, Shri Vidya Charan
Siddeshwar Prasad, Prof.
Singh, Shri Vishwanath Pratap
Sinha, Shri Dharam Bir
Sinha, Shri Nawal Kishore
Sohan Lal, Shri T.
Sokhi, Sardar Swaran Singh
Stephen, Shri C. M.
Sudarsanam, Shri M.
Surendra Pal Singh, Shri
Tayyab Hussain, Shri
Tiwari, Shri Chandra Bhal Mani
Tombi Singh, Shri N.
Tula Ram, Shri
Tulsiram, Shri V.
Uikey, Shri M. G.
Unnikrishnan, Shri K. P.
Venkatasubbaiah, Shri P.
Venkatswamy, Shri G.
Yadav, Shri Karan Singh

MR DEPUTY-SPEAKER: The result* of the division is:

Ayes: 27; *Noes*: 182

The motion was negatived.

MR. DEPUTY-SPEAKER: The question is:

"This House disapproves of the Maintenance of Internal Security (Fourth Amendment) Ordinance, 1975 (Ordinance No. 22 of 1975) promulgated by the President on the 16th November, 1975"

The motion was negatived.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill further to amend the Maintenance of Internal Security Act, 1971, be taken into consideration."

The motion was adopted.

MR DEPUTY-SPEAKER: We shall now take up clause 2.

Clause 2 (*Amendment of section 3*)

SHRI DINEN BHATTACHARYYA: I beg to move.

Page 1, line 8,—

for "twenty days" *substitute* "five days" (1)

Page 1 lines 8 and 9,—

for "twenty-five" *substitute* "twenty" (2)

I do not understand what is the

*The following Members also recorded their votes:—

Ayes: Sarvashri Ram Deo Singh and S. P. Bhattacharyya.

Noes: Sarvashri Nawal Kishore Sharma and T. A. Patil.

(Shri Dinen Bhattacharyya.)

necessity for bringing this clause? Instead of "twenty-two days", they have mentioned that they want to change it to 25 days. For what reason, I do not know. The Minister wants to bring this amendment in Section 3 of the Original Act So, I have suggested that instead of twenty-five days, five days are enough and five days should be substituted for twenty-five days.

My second amendment also is in respect of the same clause. Instead of 25 days, I have suggested 20 days Within these 20 days, enough opportunity will be given to the authority to fulfil certain conditions. So, my amendment is very simple. I do not find any reason why the Minister should not accept it. It is not a policy matter at all. It is a question of period within which the authority has to fulfil certain conditions.

These are the two amendments that I have suggested in clause 2

SHRI K. BRAHAMANANDA REDDY: I do not know whether Mr. Bhattacharyya has really appreciated why this amendment is sought to be made. It has been made clear that the provision in the Bill is to rectify the defects in certain orders which have been passed by the State Governments. It is not merely a question of fixing some time limit. It is not so. If it were so, there is a point to be made why it should be 25 days, why not 20 days. It has been made clear by us. It is in order too rectify the defects, to overcome the defects in the orders issued by the State Governments, that this provision is being made. Therefore, I do not accept these amendments.

MR. DEPUTY-SPEAKER: Now, I put amendments Nos. 1 and 2 to clause 2 to the vote of the House.

Amendments Nos. 1 and 2 were put and negatived.

MR. DEPUTY SPEAKER: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (*Amendment of section 14*)

SHRI DINEN BHATTACHARYYA: I beg to move:

Page 1, lines 12 and 13,—

omit "and shall be deemed to have been substituted with effect from the 29th day of June, 1975," (3)

Pages 1 and 2,—

for lines 19 to 24 and 1 and 2 respectively, *substitute*—

"Provided that the subsequent detention order can be made only in a case where fresh facts have arisen after the date of revocation or expiry, on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made." (4)

SHRI K. M. 'MADHUKAR' (Kerala): I beg to move:

Page 1, line 18, —

add at the end—

"but due consideration shall be given before another detention order is issued." (11).

Page 1, line 23,—

for "twelve months", *substitute*—

"six months" (12)

SHRI DINEN BHATTACHARYYA: In my amendment to clause 3, I have suggested to the Government to omit these lines:

> "and shall be deemed to have been substituted with effect from the 29th day of June, 1975."

In another amendment I have suggested that for lines 19 to 24 and 1 and 2 respectively, the following proviso should be substituted:

> "Provided that the subsequent detention order can be made only in a case where fresh facts have arisen after the date of revocation or expiry, on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made"

I have suggested this in place of the following:

> "Provided that in a case where no fresh facts have arisen after the expiry or revocation of the earlier detention order made against such person, the maximum period for which such person may be detained in pursuance of the subsequent detention order shall, in no case, extend beyond the expiry of a period of twelve months from the date of detention under the earlier detention order or the expiry of the Defence and Internal Security of India Act, 1971, whichever is later"

I have suggested that subsequent detention order can be made only in a case where fresh facts have arisen In your case, you have said that even if there is no fresh fact, the detention may be continued. My amendment is that only if fresh reasons can be adduced for continued detention, then only you can continue the detention Otherwise not. Here is a positive amendment and, I hopt, the Minister will be good enough to accept it.

श्री कमला मिश्र 'मधुकर' : उपाध्यक्ष जी, मंत्री जी ने जो बातें जबाब में कही है उनको सुनकर भी और अपने बिहार का और चम्पारन जिले का अनुभव जानते हुए यह अमेन्डमेंट लाया हूं। वह यह है कि यदि दोबारा डिटेन्शन हो, तो जैसा कि अभी हमारे माननीय सदस्य ने कहा, ऐसी बात न हो कि बिना पूरी तरह विचार किए हुए और बिना नए तथ्यों की जानकारी किए हुए सरकार को ऐसा अधिकार रहे जिसके अन्तर्गत पुन: डिटेन कर लें। सामग्र जानकारी और पूरा विचार करके तभी अरेस्ट किया जाय तो अच्छा रहेगा। नही तो होता यह है कि अधिकारियों के जरिए बहुत ही गलत प्रयोग इसका किया जाता है। मैं जानता हूं अपने अनुभव से कि हमारे बिहार में पूर्वी और पश्चिमी चम्पारन जिले में ऐसी घटना हुई कि कांग्रेस के दो गुटों मे झगडा हुआ और डी० एम० ने एक हाई स्कूल के टीचर को डिटेन कर दिया जबकि वह बीस सूत्री कार्यक्रम को इम्प्लीमेन्ट कराने के लिए काम कर रहा था। मेरा ऐसा अनुभव है इसलिए मैं कहता हूं गृह मन्त्री महोदय से कि वे इस बात पर ध्यान दें और उन्होंने भी कबूल किया है कि इसका मिसयूज हो सकता है। मिसयूज नही हो, इस बात की कोई गारन्टी नही है। इसलिए मै चाहता हूं समग्र रूप से विचार किया जाये, बिल मे इसको लाया जाये ताकि इसका मिसयूज न हो सके।

SHRI K. BRAHMANANDA REDDY: Sir, I oppose amendments No. 3 and 4, which Shri Bhattacharyya has moved This is because if the amenment is accepted the benefit of the proviso under Section 14, namely the maximum period for which a person may be detained in pursuance of the subsequent detention order shall, in no case, extend, beyond the expiry of a period of twelve months from the date of detention, will not be available to some of the detenus. The orders that have been passed during the duration of the ordinance will not be covered.

In his amendment No. 4, he has suggested that subsequent detention order

[Shri K. Brahamananda Reddy]

can be made only if fresh facts have arisen. This is not acceptable. It would be meaning going back to the old Section 14(2) of the old MISA Act which has subsequently been amended.

MR. DEPUTY-SPEAKER: I will put amendments No 3, 4, 11 and 12 to the vote of the House.

Amendments Nos 3, 4, 11 and 12 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill

Clause 4 (*Amendment of Section 16A*)

SHRI DINEN BHATTACHARYYA: I beg to move

Page 2,—

for lines 11 to 15 *substitute*—

"emergency, but such detention order has not been approved by the State Government as provided in sub-section (3) of section 3 or in respect thereof the provisions of sub-section (4) of that section have not been complied with, such person shall be forthwith released."' (5)

Page 2,—

for lines 19 to 28 *substitute*—

'"(5) In making any review, consideration or recommendation under sub-sections (2), (3) or (4) the appropriate Government or officer may act on the basis of information or materials in its or his possession but shall communicate and disclose the facts and any such information or materials to the person concerned and shall afford such person a reasonable opportunity of making a representation against the making under sub-section (2) or the making or confirming under sub-section (3), or the non-revocation under sub-section (4), of the declaration in respect of him and also against the order of detention." '(6).

Pages 2 and 3,—

for lines 29 to 52 and 1 to 31 respectively, *substitute*—

(c) sub-sections (6) and (7) shall be omitted" (7)

SHRI K. M. 'MADHUKAR': I beg to move:

Page 2,—

omit lines 4 to 15, (13)

Page 2, line 42,—

for "at any time after" *substitute*—

"Within a week but not exceeding two weeks of time of" (14).

Page 3, lines 5 and 6,—

for "may, whenever it considers it necessary so to do"

substitute—

"within a period of a week but not more than two weeks shall" (15)

Page 3,—

omit lines 11 to 31. (16)

SHRI DINEN BHATTACHARYYA: In respect of tht amendment proposed by the Minister of Section 16A, sub-section 2(a), I have suggested the deletion of lines 11 to 15 and my amendment is that this should be substituted in place of that:

"emergency, but such detention order has not been approved by the State Government as provided in sub-section (3) of section 3 or in respect thereof the provisions of sub-section (4) of that section has not been complied with such person shall be forthwith release."

Here is a positive action to be taken by the authority under this Act and

that is why I am suggesting that the words that are there in the Bill should be substituted by the words I have suggested.

SHRI KRISHNA CHANDRA HALDER: Sir, the amendment should be accepted by the Home Minister, because the detention may be mala fide in some cases. The citizen can be put to wrong confinement by the bureaucrat. So, I request this amendment of mine may kindly be accepted by Government.

श्री कमला मिश्र 'मधुकर': उपाध्यक्ष जी, मैंने अपनी पहली अमेण्डमेन्ट में यह कहा है कि लाइन 4 से 15 तक हटा दिया जाये। यह ऐसा विषय है जिस पर आज हाउस में सब से अधिक बहस हुई है, जो लोग डिटेन किये जायेंगे उन को कोई भी कागजात, सबूत या प्रमाण देने का अधिकार नहीं होगा। इस कानून से उन डेटिन्यूज को अपने आप रिप्रेजेन्ट करने का अधिकार नहीं मिलता है—मैं समझता हूं कि यह सही बात नहीं है। इस के चलते आगे चल कर जो सम्भावनाएं पैदा होंगी, जो परिस्थिति पैदा होगी, उस को देखते हुए मैं समझता हूं कि इसका गलत ढंग से इस्तेमाल हो सकता है। इस लिये जो लोग डिटेन हों इन को कम से कम इतना अधिकार अवश्य होना चाहिये कि सरकार उन को डिटेन करने का कारण बतलाये। इसलिये मैं चाहता हूं कि इन लाइनों को हटा दिया जाय।

दूसरी बात—

"At any time after the receipt of a report under sub-stction (3), the Central Government may require the State Government to furnish to the Central Government the grounds on which...."

इसके संबंध में मुझे कहना है कि सैंट्रल गवर्नमेंट वह रिपोर्ट कब मांगेगी, मांगेगी या नहीं मांगेगी—स्टेट गवर्नमेंट के लिये इस में कोई बाध्यता नहीं है। मैंने बाध्यता लाने के दृष्टिकोण से यह संशोधन दिया है ताकि सैन्ट्रल गवर्नमेंट बाध्य हो, वह रिपोर्ट मांगे और स्टेट गवर्नमेंट बाध्य हो, वह रिपोर्ट दे कि किस कारण से अमुक व्यक्ति को डिटेन किया गया है। मैं समझता हूं कि इस में इन को कोई ऐतराज नहीं होना चाहिये और वे इस को मान लेंगे।

SHRI DINEN BHATTACHARYYA: *rose—*

MR. DEPUTY-SPEAKER: No, please. You have spoken already.

SHRI DINEN BHATTACHARYYA: This is amendment No. 6.

I spoke only on amendment No. 5.

MR. DEPUTY-SPEAKER: Mr. Halder can speak if he wants.

SHRI KRISHNA CHANDRA HALDER: Here, sub-section (5) is sought to be substituted by:

"In making any review, consideration or reconsideration under sub-section (2), sub-section (3) or sub-section (4), the appropriate Government or officer may act on the basis of the information and materials in its or his possession without communicating or disclosing any such information or materials to the person concerned or affording him any opportunity of making any representation against the making under sub-section (2), or the making or confirming under sub-section (3), or the non-revocation under sub-section (4), of the declaration in respect of him."

In my amendment I want this to be substituted by:

"In making any review, consideration or reconsideration under sub-sections (2), (3) or (4), the appropriate Government or officer may act on the basis of the information or materials in its or his possession but shall communicate and disclose the facts and any such information or materials to the person concerned and shall afford such

[Shri Krishna Chandra Halder]

> person a reasonable opportunity of making a representation against the making under sub-section (2), or the making or confirming under sub-section (3), or the non-revocation under sub-section (4), of the declaration in respect of him and also against the order of detention."

This is a amendment....

MR. DEPUTY-SPEAKER: All these amendments are printed and circulated. There is no need to read them anyway you have done it.

SHRI KRISHNA CHANDRA HALDER: What I want to say is that the detainee should be given the grounds of detention so that he can reply, he can repudiate and make a representation to the Board or to the proper authority or to the government. So this is a very important amendment and I hope the Minister will accept it. Even during the times of the British raj, when we were arrested under preventive detention, even at that time the government supplied us grounds of detention, but here, without any grounds of detention any person can be detained. So, I would say that the Government should accept my amendment.

SHRI K. BRAHMANANDA REDDY: It is obvious that I should oppose this amendment. The Government's stand is that the grounds of detention should not be disclosed for reasons of security. That is why we have to bar the courts also from going into the grounds since that would have meant the grounds becoming public. It is for the same reason that we have taken away the legal right of a detenu....

SHRI KRISHNA CHANDRA HALDER: You are afraid of the people and the public.

SHRI K. BRAHMANANDA REDDY: No, we are not afraid of anybody. If such a right is embodied in a law, that will cause the courts to go into the whole matter again which we are not prepared to allow on grounds of security.

MR. DEPUTY-SPEAKER: I shall now put amendment Nos. 5, 6, 7, 13, 14, 15 & 16 to Clause 4 to the ote of the House.

Amendments Nos. 5 to 7 and 13 to 16 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted

Clause 4 was added to the Bill.

Clause 5 (*Amendment of section* 18)

SHRI DINEN BHATTACHARYYA: I beg to move:

Page 3, line 34,—

> *omit* "or purported to be made" (8)

Page 3, lines 34 to 36—

> *omit* ", and shall be deemed to have been substituted with effect from the 25th day of June, 1975" (9)

MR. DEPUTY-SPEAKER: I shall now put Amendment Nos. 8 and 9 to Clause 5 to the vote of the House.

Amendments Nos. 8 and 9 were put and negatived

MR. DEPUTY-SPEAKER: The question is:

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 (Validation)

SHRI DINEN BHATTACHARYYA: I beg to move:

Page 3, lines 41 to 44,—

for "as valid and effective as if the amendments made to the principal Act by section 2 and 3, and clause (a) of section 4, of this Act had been in force at all material times."

substitute—

"invalid unless all the provisions of the principal Act have been duly complied with." (10)

It will be invalid unless all the provisions of the Principal Act have been duly complied with. Here I am speaking of the original Act and they are including here an amendment in such a way that the little scope that was there for the personal liberty of the citizens of this country may be taken away and be man cannot plead for his personal liberty or civil liberty in the court.

As before, the previous amendments also relate to the same aspects and this also relates to that very aspect that you must give the reasons for the detention The detenus must be given an opportunity to plead, the case or to refute the charges in the court of law that are brought against them and the court of law should give the verdict as to whether the detention is *bona fide* or not. The amendments should be viewed in this light and should be accepted by the Minister.

SHRI K. BRAHMANANDA REDDY: I do not accept.

SHRI DINEN BHATTACHARYYA: Why not?

MR. DEPUTY-SPEAKER: That is between you and the Minister.

(Interruptions)

MR. DEPUTY-SPEAKER: I shall now put amendment No. 10 to the vote of the House.

Amendment No. 10 was put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to tht Bill.

MR. DEPUTY-SPEAKER: The question is:

"That Clause 7, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 7, Clause 1, the Enacting Formula, and the Title were added to the Bill.

SHRI K. BRAHMANANDA REDDY: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: I have three names here of the Members who want to participate in the Third Reading. I will not shut them out But may I again remind them that in this debate, the arguments should be only in support or opposition of the Bill. Do not go into the details of the Bill any more.

SHRI H. N. MUKERJEE (Calcutta—North-East): Mr Deputy-Speaker, Sir, I feel more than usually melancholy on this occasion when we are putting on the statute-book this particular piece of legislation. Sir, I am very sensible of what I consider the fundamental hypocrisy of Anglo-Saxon Jurisprudence. I realise the fundamental hypocrisy of Anglo-Saxon Jurisprudence.

[Shri H. N. Mukherjee]

15.31 hrs.

[SHRI VASANT SATHE *in the Chair*]

But there is in that system certain elements which do happen to have an inspiring content. And for some time now since I have seen this particular business on the Agenda of our House, I have been thinking of those days when I had a kind of a very inauspicious innings at the high courts when in reference to certain cases related to something like habeas corpus after preventive detention had come into operation. I had learnt of such things as the Liversidge case where Lord Atkin had given his judgment where he had quoted a Latin tag which in translation means that even in the clash of arms the laws are not silent. Even when there is a case of war the laws are not silent in a society which we would like to cherish.

In this country at the moment it is quite clear that those of us who belong to our party have expressed our support to the Government in so far as the proclamation of emergency and other concomitant activities were concerned, because, we have been aware of a fundamental danger to the country, which had been posed by certain very unfortunate events Put I do not see, for the life of me I cannot understand, why the Government happens to require the kind of authority which this law invests in their hands. I do not see, for example, what purpose would be served by making it appear before all the world that the heavens would fall if in regard to certain detention cases the principal grounds of detention are communicated to the detenue concerned and he is enabled to make a representation. There are friends here like our friend the Minister for Agriculture who had been here for so many years. I remember those days when the Preventive Detention law was being put on the statute book and how the Government used to come in a very apologetic fashion. I remember having read in the papers reports about Sardar Vallabhai Patel and later Shri Rajagopalachari proposing some very drastic changes in preventive detention law and telling the House in those days that they were spending sleepless nights over that matter. I do not consider that the situation today is so drastically dangerous that they have to have more than what an emergency puts in the hands of the administration when they are, as Mr. Brahmananda Reddy had the grace to acknowledge, liable to commit mistakes from time to time. Mr. Brahmananda Reddy told this House a little while ago that certain representations did happen to have been made either by the detenus themselves or by their friends or by some Members of Parliament on their behalf, and he did have these things examined. Even now he says that if there are representations made before him he would have them examined.

Now, what harm is there if the broad grounds of detention—not the detailed facts behind those grounds—are being considered to be the reasons for detention? If the broad grounds of detention are made known to the person who is being detained, why this particular predeliction on the part of Government to be absolutely overcautious not to allow anything to go out anywhere? Everyday I come to this House I see the superabundant measures of security which you have taken and some of us feel as if we are in fear trembling as we cross the hurdles of the security guards. And we to live in this atmosphere when, as a matter of fact, the country is feeling differently; why should an impression go abroad that justice is not being done in these cases? If the Home Minister can tell the world, for example, the details about what has been done, I am sure. he could do that with a brave face—he could do so—that 'we have detained so many people for good reasons and we have let off so many other people'.

he could with a very brave face confront the people in the Opposition in this country who are opposed to the emergency wholesale and say how he is trying to operate the emergency in a humane and enlightened manner. If that is the case, in certain respects, I feel the government does have a case but I do not know why they do not have the guts to put it forward before the country. If they could do so, then they do not have the need to have recourse to all these draconian measures—more than draconian measures. For instance, what benefit accrues to Government? Government could tell us a great deal more about it. Here in Parliament we do not even know who amongst us, are in detention? Even the Parliamentary Bulletin these days does not include news in regard to the arrest and detentions of people about which we get reports from the other people outside. This happens in spite of the fact that again we find that in certain respects Government is quite lax. Government, I hope, is quite ready to behave in a more civilised fashion. In that case, why this particular fear? Why do you fear the people? People are not so much interested in the letter of the law. But they are interested in the idea of justice being still there but, if they are told that a man can be detained and anything can be done by anybody, until today, no questions can be asked because ordinances after ordinances are supported by Parliament: if every miserable thing that you can or you cannot do is raised and feelings are aroused in this country that injustice is being rampant, then what happens? Are we not in an emergency situation where by positive work and by constructive amelioration and advance we can win over the people's support? Is this the time to give an unnecessary display of extra punitive authority to government to supplement whatever their programme may be—20-point or 21-point or whatever programme it may be? And why does the Government not have the guts or courage or moral sense to get up and say that we can treat the Opposition with a greater amount of leniency and justice? We are not going to say 'goodbye' to justice; we are not going to do hand-to-hand fighting; we are not at war in our country; we are not in a situation where everybody is feeling insecure. We are having a situation where you have to mobilise the government that is to say, is to mobilise the enthusiasm, the enthusiasm of the people; are not the people going to be enthusiastic in implementing whatever programme you may or may not have? If you are going to have this idea, under the law as we need to-day—God knows for what reasons they need it to-day —that no questions can be asked and by this kind of presidential and authoritarian laws which are going to be put on the statute book which go against the grain of all genuine political activities, with all the desire to help the Government during this period of stress and strain when the people have to be mobilised in order to build a better future for our country, then we find ourselves constrained to oppose the legislation which seems to me to have no sense, no rhyme or reason behind it? This is an illustration of a certain authoritarian trend which is dangerous. You may be talking very sweetly to-day but, if this is the way in which the Government chooses to function or if the Government wishes to live by the word, unfortunately, then a time may come when you may have to perish by the sword.

That is the lesson of history. Do not forget these things. And when you have the time, the opportunity and the support of the people, why don't you bank on it? Why don't you capitalise on that support? Why don't you appear before the people in a better light? Why you cannot choose to do so is beyond my comprehension. Certain mysteries are happening these days which I in my time of life at least find it absolutely impossible to understand.

[Shri H. N. Mukherjee]

So all I can say is that I am extremely unhappy that we have to oppose, and we do oppose, this kind of legislation.

SHRI DINESH JOARDAR (Malda): We are discussing this Maintenance of Internal Security Act since 1971 in this House and also in the other House. Many views have been expressed, particularly opposing this dramonian law taking away the rights and liberties of the free citizens of our country. Since then, the Government has been promising many things. We were told in 1971 that these laws would not be applied to political parties, that political parties would not be the victims of MISA. They repeated it in 1973 and 1974. Now in 1975, what they were telling all these years, they have forgotten. Now they have started attacking MPs and leading citizens and journalists, professors, Principals, educationists and all people representing all walks of life, not to speak of political parties or opposition members.

We also know that in spite of what the hon. Minister, Shri Brahmananda Reddy, has promised, what he has stated this day, within a few months he will come again with another amendment. I am sure of that. I do not know what is left behind after this amendment for you to further take away. Whatever rights, privileges and liberties are left still now, they will be taken away totally.

This is the thing going on. We do not understand why, if the ruling party is still popular in the country and are holding mass support, they are so much afraid of disclosing the grounds. What is the secrecy about? If the grounds are anti-national activities endangering the security of the country, you can very well get the benefit of these anti-social activities of the opposition members or detenues. You can make them public. You can let the people know of the nature of the offence committed by the detainees. The people will appreciate your action. But no, you will not do that. Yau are afraid of the people you are detaining; you are afraid of the people lest they know the grounds for the action you have taken. You are afraid of the courts. You are afraid of Parliament. You are afraid of anything and everything in this country. Now you are taking shelter under this sort of laws, and with this sort of measures, repressive measures, you want to rule over us and remain in power.

So this is a futile exercise we are doing here in this Parliament. We know that nothing we do here will do anything good to the people, the way we are taking part in this House. Even the Lok Sabha debates and the Rajya Sabha debates are not going to be published. People will not know what is happening here.

As regards what the hon. Minister stated that there may be misuse or abuse of these powers by the executive in stray cases, I think he will not forget that myself, Mr. Gopalan, Mr. Samar Mukherjee and Mr. Dinen Bhattacharya met him two or three months back and gave him certain specific instances of the misuse of MISA which are going on. What have you done on that? You have given no consideration to our representation. Nothing has been done in respect of these cases of misuse and abuse of MISA provisions by the executive.

We are again placing some cases before you. In my constituency the district magistrate happens to be the president of a college and the principal is the secretary of that college. There was some misunderstanding and some difference of opinion in the governing body meeting of the college and the district magistrate wrote to the principal: if you do not agree

to my proposal, I will take legal action against you. After a few days the emergency came. Who was the first victim of the emergency? The principal. The district magistrate issued an order detaining the principal of the college, who was never a member of any political party and never participated in any political activity. He was released within fifteen days. Thereafter the district magistrate asked the local BDOs to fabricate false reports about the principal saying that the principal was making public statements that he would see the Prime Minister and that he would do other things; the BDO fabricated such false reports against that principal and after 10 or 15 days the principal was again detained under the orders of the same district magistrate. We bring to your notice such cases but nothing happens, because the district magistrate is mobilising local congress goondas, the youth congress people and the local congress MLAs, he is going from door to door and got his order confirmed by the state government. You cannot do anything in such cases; and there is no remedy. This is not an isolated case; there are several such cases. In Rajasthan jail one detenu was killed. No action was taken. In Indore and other jails, what is the treatment that they are getting? In Berhampore central jail, I knew the cases of two or three young men of robust health, who were detained there. After a month or so they were found to be suffering from TB and we wrote to the jail superintendent, the I.G. if prisons and to the government that they were ill with TB but no treatment was given to them; there was no remedy to their illness. You know the kind of treatment accorded to political leaders, M.Ps. If such is the treatment given to those people, you can imagine what kind of treatment will be meted out to common people when they are detained, representatives of labour, trade union workers, workers in the peasant movements and representatives of the toiling masses. Every day more and more such people are being detained. They are shifting the detenus from jails of Tripura to jails in Tamilnadu; from Calcutta to Calicut; transferring detenus from one State to another far off State. You are afraid to disclose the grounds of detention. But why are you afraid of detaining a person in his home state? You transfer them over long distances incurring heavy expenditure and also causing much inconvenience to the families of those people. We know that the Home Minister is helpless; we appreciate the position of the Home Minister; we also know that nothing will come out from him because he has no power to give us relief. Still we bring such instances to his notice. We oppose the Bill and we request that the Minister should withdraw this Bill.

श्री कमला मिश्र 'मधुकर' : सभापति जी, हमारी पार्टी ने मिसा को इस्तेमाल ब्लैक मार्केटियर्स, होर्डर्स, प्रतिक्रियावाद को सहारा देने वाली ताकतों, प्रतिक्रियावादी ताकतों, साम्राज्यवाद के ऐसे एजेंटों जो हिन्दुस्तान के अंदर विदेशों से मिलकर इनएस्टब्लाइजेशन पैदा करने वाले है तथा ऐसे लोगों के खिलाफ इस्तेमाल करने का हमेशा समर्थन किया है जो आनन्दमार्गी और आर० एस० एस० जैसे सगठनों से संबंध रहते है। लेकिन यह जो संशोधन आप लाएं हैं इसमें बहुत ही कठिन स्थिति हो गई है जो हमारे नेता इंद्रजीत गुप्ता ने बताई थी और मैं भी कहना चाहता हूं अपने कुछ अनुभवों से कि कैसे आप के इस कानून का दुरुपयोग हुआ है। जिस समय एमर्जेन्सी का एलान हुआ बिहार के करीब 100 से ज्यादा सी०पी०आई०के लोगो को मिसा और डी आई आर म गिरफतार कर लिया गया। आप के ध्यान में यह बात लाई गई। इतना ही नहीं मैं खुब जानता हूं मेरे इलाके में हमारे लोगों ने तथाकथित सम्पूर्ण क्रान्ति के लोगों के साथ मुकाबिला किया और फल क्या हुआ हमारे लोगों को जेल में भेजा गया। बिहार

[श्री कमला मिश्र 'मधुकर']

के चीफ मिनिस्टर ने आर्डर किया उन को निकालने का लेकिन वहां के जिलाधीश ने नही कबूल किया। आप की नोटिस में भी यह आया होगा लेकिन उस के बाद भी वह काम नही हुआ।

अभी हाल ही में दिसम्बर जनवरी के महीने में पश्चिमी चम्पारन जिले में एक हाई स्कूल है जिसके एक शिक्षक वहा के हेडमास्टर है जो 20 सूत्री कार्यक्रम पर अमल करने के लिए अपना तमाम विद्यार्थियो से कहते रहते हैं और जो अपने आप में एक संस्था बन चुके है तथा दूसरे लोगो को इस बात के लिए जगाते रहते है, वहा पर कांग्रेस पार्टी के दो ग्रुप्स में झगडा हुआ, एक ग्रुप ने डी एम को प्रभावित किया और उस के कहने पर डी एम ने डी आई आर का एक केस उन के खिलाफ लगा दिया। फिर हम लोग मुख्य मंत्री से मिले तब यह हटाया गया। यह दुरुपयोग की बात मै कह रहा हू। ऐसे ही अखिल भारतीय किसान सभा की ओर से किसानों के सवालों को लेकर अखिल भारतीय माग दिवस मनाया गया, लेकिन उस के खिलाफ भी ऐसे ही अस्त्र का इस्तेमाल किया गया। इस प्रकार से अधिकारियों के द्वारा जो दुरुपयोग हो रहा है इस कानून का उस की ओर मैं ध्यान दिलाना चाहता हूं और इस नये सशोधन मे उस की कोई रेमेडी नही है।

आप यह भी जानते है कि ऐसे अधिकारी है और पुलिस के अधिकारी ऐसे है जो आनन्द मार्गी रहे है, डिक्लेयर्ड आनन्दमार्गी है, उनका रेकार्ड है लेकिन बिहार के गृह मंत्री ने और यहा के गृह मंत्री ने उनको बचाया है और बचा रहे है। आज भी जब कि सरकार की नोटिस में है कि ये आनन्दमार्गी है तब भी उन को बचाया जा रहा है। वह यह कह देते हैं कि हम बदल गए है और उसी को मान लेते हैं। ऐसे कहने वाले बहुत मिलेंगे जो पहले आनन्दमार्गी रहे है या आर एस एस से संबंधित रहे है। एकाएक उन्होंने तिरंगा झंडा धारण कर लिया और गांधी टोपी पहन ली तो उस से वह बदल कैसे गए? इसलिए मैं सावधान करना चाहता हूं कि ऐसे अधिकारियों की कोई गारंटी नही है। ऐसे जिलाधीश या ऐसे ए डी एम इन अधिकारो का सही ढंग से इस्तेमाल करेंगे इस की कोई गारंटी नहीं है।

दूसरी बात जो मैं ध्यान में लाना चाहता हूं मंत्री महोदय के वह यह है कि यह सही बात है कि आप मिसा का इस्तेमाल कर रहे है, आप ने कानून भी पास कर लिया लेकिन जो मिनिमम अधिकार होना चाहिए अपनी बातो को रखने का और डिटेंशन के कारणों को जानने का वह अधिकार इस में होना चाहिए। उस के चलते कोई ऐसी बात नही थी जिस के कारण आप के अधिकार को इस्तेमाल करने मे कोई बाधा आती।

प्रधान मंत्री के 20 सूत्री कार्यक्रम के एलान के बाद उस पर अमल कहां तक हुआ यह आप हिसाब लगाइए, हम लोग लगा रहे है लेकिन जनता मे जो एक सहयोग का वातावरण पैदा हुआ है उस का इस्तेमाल कर के जन-जागृति पैदा कर के उस कार्यक्रम को सफल बनाने का प्रयास किया जा सकता है और राजनैतिक तौर पर जो ऐसी काली शक्तिया है जो देश को गुमराह करना चाहती है, जो देश को प्रगति के रास्ते से रोकना चाहती है, जो साम्राज्यवाद की दलाली कर के आप के काम मे बाधा उत्पन्न करना चाहती है ऐसी ताकतो का मुकाबिला बिना इस कानून मे सशोधन लाए भी किया जा सकता है। इस सशोधन के लाने से ही यह सभव नही होगा कि जो आप के प्रोग्राम है उन को अमल मे ले आया जाय। उसके लिए जो जन-जागृति पैदा हुई है उस को सही दिशा में ला कर उस से सही काम लिया जाय नही तो जितने कानून बनाने जाएंगे उन कानूनों से जनता को जो असंतोष है वह असंतोष दूर नही होगा। उस असंतोष को दूर करने के विषय में कदम उठाएं। साथ ही अधिकारियों के द्वारा जो दुरुपयोग होने

की संभावना है उस को रोकने के लिए कदम उठाएं। वरना इस सशोधन के पास होने के बाद जो आप का एलान है और जो उस की पूर्ति है उस में खाई पैदा होती रहेगी।

श्री एस० एम० बनर्जी (कानपुर) सभापति महोदय, जो बिल पास होने जा रहा है, अक्सरियत जिनकी है वह इसको पास करने जा रहे है, मै इसकी मजहम्मत करने के लिए खडा हू ? मैं आपसे एक चीज कहना चाहता हू कि इस बिल की आखिर क्यो जरूरत थी। यहां पर हमारे दोस्त श्री ब्रह्मानन्द रेड्डी ने बहुत समझाने की कोशिश की लेकिन जो दलीले उन्होंने दी है उनका कोई भी असर हमारे ऊपर नही हुआ है। सिर्फ श्री इन्द्रजीत गुप्त के ऊपर ही उसका असर न हुआ हो, ऐसो बात नही है, हमारे ऊपर भी उसका कोई असर नही हुआ है। हम समझते है इसको नाजायज तरीके से नौकरशाही इस्तेमाल करेगी। मै आपसे कहना चाहता हू कि जब आपने प्रतिक्रियावादी शक्तियो को गिरफ्तार किया तो हमने उसका स्वागत किया, आपने बीस सूत्री कार्यक्रम का एलान किया, हमने उसका स्वागत किया, आपने इमर्जेन्सी लगाई तो उसका भी हमने स्वागत किया हालाकि हमारे घरो पर लोग मजाहरा करते थे, गालिया सुनाते थे लेकिन उन सारी बातो के बाद भी हमने बीस सूत्री कार्यक्रम का स्वागत किया, इमर्जेन्सी का स्वागत किया। फिर क्या वजह है कि आपको बीस सूत्री कार्यक्रम का और दूसरी बातो का लिहाजात से समर्थन करने के बाद आप इनकी यहा पर मजहम्मत कर रहे है ? क्या हमारे आपके रिश्ते खराब हो गए ? क्या वह आदर्श जिनकी बिना पर हम आपका समर्थन करते थे वह चले गए ? आज जब पैसा और पसीना बहाने वालों मे लड़ाई होगी, जब वे आपस मे लडेगे तो क्या पसीना बहाने वालो को आप गिरफ्तार नही करेगे ? हमने चिल्ला चिल्लाकर इस बात को कहा कि आप ऐसा कानून बनाइये जिसमे रिट्रेंचमेन्ट, लाक-आउट और ले-आफ को बन्द किया जाये। आज देश में हजारों मजदूर फाकाकशी कर रहे है और इस तरह से धीरे धीरे वह मर्घट की तरफ जा रहे है। लेकिन आपने उनकी तरफ देखा नही, उनके बारे मे कुछ सोचा नही। अगर 22 अध्यादेशों मे एक अध्यादेश इस बात का भी होता जिसमे रिट्रेंचमेन्ट, लोक-आउट ले-आफ को रोका जाता लेकिन नही, उनके लिए आपके हाथ रुक गए। जहा टाटा, बिडला ने आपको आखे दिखाई तो सारे थरति रह गए। समाजवाद की सारी बाते धरी रह गई। आप लाये भी तो बोनस के लिए आर्डिनेन्स लाए। ठीक है, आप पास करे लेकिन हम इनकी मुखालिफत करते है। हो सकता है इसका उल्टा असर आपके ऊपर ही पडे।

आखिर मे मै फैज अहमद फैज का एक शेर कहना चाहता हू जोकि उन्होने जेल मे लिखा था

न सवाले वसल न अर्ज गम, न हिकायते न शिकायते

तेरे अहद मे दिले जार के सभी अख्तियार चले गए।

SHRI K. BRAHMANANDA REDDY: Sir, I have not much to say in reply. So far as the shift in the attitude of the CPI as has been made known by my friend, Mr. Banerjee is concerned, I would only repeat that except for clearing some doubts and removing some legal difficulties, this amending Bill does not seek to change in a big way the earlier Act Now, if for other reasons, because no other ordinances have been issued in favour of certain sections of people, the CPI proposes to consider the matter in a different light, that is a different matter I again wish to thank the members opposite belonging to the CPI for their support and cooperation in the implementation of the 20 point programme. As Prof. Mukherjee said, it

[K. Brahmananda Reddy]

is widely known that not only representative institutions in great majorities but even the masses of the country have supported in an overwhelming manner the steps that have been taken by the Prime Minister since 25th June 75.

16.00 hrs.

Therefore, it is not the question of fearing the people. I agree with him that it is an opportunity where all of us together will have to mobilise the people against the force of right reaction, against the force of de-stabilisation. But you may also be aware that tion are not a majority people. If they have a majority, there would not have been any need for them to resort to de-stabilisation. The point, therefore, would be that we have to be careful about the force of de-stabilisation or the force of right reaction and other forces which disrupt the normal democratic life of this country by creating panic among the people of the society, by creating dis-affection against the Government, etc.

I particularly see the senior Member's anguish that we are not creating our image in the broad world. As I have already replied that we should make an effort to put in the proper perspective our point of view but beyond a point, as is wisely said, if a man refuses to be convinced, what is the point in trying to convince him because he will never be convinced.

I have submitted in my reply that reasons are not submitted to the detenu for reasons of security. We do not want that the reasons should be made public and we do not want that these persons who are detained, should have recourse to legal remedy.

One CPM Member has said that they have made a representation. In fact, they have made a representation. I can assure you that all representations made either jointly or separately have been looked into and are being looked into. It does not mean that whatever you say, we agree. If you start on that presumption that because you represent, the remedy you seek should automatically follow, that would be wrong. Whatever representations have been made especially by the hon. Members of this House and the other House, have been gone into. State Governments have been consulted and some other agencies have also been consulted and we try to take steps accordingly. I can tell you that whatever representations have been made with regard to our friends in Indore Jail and Rajasthan Jail, they have been looked into.

Yesterday, Mr. Somnath Chatterjee was saying that he did not get a reply. That does not mean that it has been thrown in the waste-paper basket; that is not so. But some things do not require any reply at all. I can assure you that whatever has been represented has been looked into with a desire to help. I can only say that whenever a representation had been made not only to us but even to the Jail authorities, the best attention that could be paid was being paid. And it is being paid and will continue to be paid. I did not want to quote this letter from Mr. Samar Guha, a very respected Member of this House. He is under detention now. He says:

> "I had been in British jails, in Pakistan jails at Dacca, and Congress jails on innumerable occasions and I do not remember to have received better treatment from the members of the jail staff including doctors, than I have been receiving from the staff of the jail and its doctor."

I do not need a better compliment. This is from an Opposition leader, leader of respectability, though he may be under detention for other reasons. Therefore, I wish to submit for your consideration that as I have said, these things are not taken for granted

or in a cavalier fashion or in a casual fashion; they are looked into and whatever is possible to prevent misuse, is being done.

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The Lok Sabha divided.

Division No. 8] [16.11 hrs.

AYES

Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Alagesan, Shri O. V.
Ambesh, Shri
Appalanaidu, Shri
Arvind Netam, Shri
Awdhesh Chandra Singh, Shri
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Balakrishniah, Shri T.
Banerjee, Shrimati Mukul
Besra, Shri S. C.
Bhagat, Shri H. K. L.
Bhargava, Shri Basheshwar Nath
Bhatia, Shri Raghunandan Lal
Bhattacharyya, Shri Chapalendu
Bhuvarahan, Shri G.
Brahmanandji, Shri Swami
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chandrashekharappa Veerabasappa, Shri T. V.
Chandrika Prasad, Shri
Chaudhary, Shri Nitiraj Singh
Chhotey Lal, Shri
Chutten Lal, Shri
Chikkalingaiah, Shri K.
Daga, Shri M. C.
Dalbir Singh, Shri
Damani, Shri S. R.
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Dhamankar, Shri
Dhillon, Dr. G. S.
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Gavit, Shri T. H.
Ghosh, Shri P. K.
Gill, Shri Mohinder Singh
Giri, Shri S. B.
Giri, Shri V. Shanker
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jamilurrahman, Shri Md.
Jayalakshmi, Shrimati V.
Jitendra Prasad, Shri
Joshi, Shrimati Subhadra
Kadam, Shri J. G.
Kale, Shri
Kamakshaiah, Shri D.
Kamala Prasad, Shri
Kamble, Shri T. D.

Kapur, Shri Sat Pal
Karan Singh, Dr.
Kaul, Shrimati Sheila
Kavde, Shri B. R.
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Krishnappa, Shri M. V.
Kureel, Shri B N
Laskar, Shri Nihar
Lutfal Haque, Shri
Mahajan, Shri Vikram
Mahishi, Dr. Sarojini
Majhi, Shri Kumar
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mallanna, Shri K.
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Manhar, Shri Bhagatram
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri Bibhuti
Mishra, Shri G. S.
Mishra, Shri Jagannath
Modi, Shri Shrikishan
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Nimbalkar, Shri
Oraon, Shri Kartik
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Pandey, Shri Damodar
Pandey, Shri Narsingh Narain
Pandey, Shri Tarkeshwar
Panigrahi, Shri Chintamani
Paokai Haokip, Shri
Parashar, Prof Narain Chand
Paswan, Shri Ram Bhagat
Patel, Shri Prabhudas
Patil, Shri Anantrao
Patil, Shri Krishnarao
Patil, Shri S. B.
Patnaik, Shri J. B.
Peje, Shri S. L.
Purty, Shri M. S.
Raghu Ramaiah, Shri K.
Rai, Shri S. K.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri
Raju, Shri P. V. G.
Ram Dayal, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ramshekhar Prasad Singh, Shri
Ranabahadur Singh, Shri
Rao, Shri Jagannath
Rao, Dr. K. L.
Rao, Shri M. S. Sanjeevi
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rao, Shri Pattabhi Rama
Raut, Shri Bhola
Reddy, Shri K. Ramakrishna
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Ganga
Reddy, Shri P. Narasimha
Reddy, Shri P. V.
Reddy, Shri Sidram
Richhariya, Dr. Govind Das
Saini, Shri Mulki Raj
Salve, Shri N. K. P.
Samanta, Shri S. C.
Sankata Prasad, Dr.
Satpathy, Shri Devendra
Savant, Shri Shankerrao
Savitri Shyam, Shrimati
Sayeed, Shri P. M.

Sethi, Shri Arjun
Shahnawaz Khan, Shri
Shambhu Nath, Shri
Shankar Dayal Singh, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Dr. H. P.
Sharma, Shri Madhoram
Sharma, Shri Nawal Kishore
Sharma, Dr. Shanker Dayal
Shastri, Shri Biswanarayan
Shastri, Shri Sheopujan
Shivnath Singh, Shri
Shukla, Shri Vidya Charan
Siddheshwar Prasad, Prof.
Singh, Shri Vishwanath Pratap
Sinha, Shri Dharam Bir
Sinha, Shri Nawal Kishore
Sohan Lal, Shri T.
Sokhi, Sardar Swaran Singh
Stephen, Shri C. M.
Suryanarayana, Shri K.
Tayyab Hussain, Shri
Tombi Singh, Shri N.
Tula Ram, Shri
Tulsiram, Shri V.
Uikey, Shri M. G.
Unnikrishnan, Shri K. P.
Venkatasubbaiah, Shri P.
Venkatswamy, Shri G.
Verma, Shri Sukhdeo Prasad
Vidyalankar, Shri Amarnath
Yadav, Shri Chandrajit
Yadav, Shri Karan Singh
Yadav, Shri N. P.

NOES

Bade, Shri R. V.
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri S. P.
Bhaura, Shri B. S.
Deshpande, Shrimati Roza
Durairasu, Shri A.
Dutta, Shri Biren
Gupta, Shri Indrajit
Haldar, Shri Madhuryya
Halder, Shri Krishna Chandra
Hazra, Shri Manoranjan
Joarder, Shri Dinesh
Kathamuthu, Shri M.
Lakshmikanthamma, Shrimati T.
'Madhukar', Shri K. M.
Mavalankar, Shri P. G.
Mohammad Ismail, Shri
Mohanty, Shri Surendra
Mukerjee, Shri H. N.
*Painuli, Shri Paripoornanand
Parmar, Shri Bhaljibhai
Reddy, Shri Y. Eswara
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Sen, Dr. Ranen
Shastri, Shri Ramavatar
Vijay Pal Singh, Shri

MR. CHAIRMAN: The result† of the division is:

Ayes: 181; Noes: 27.

The motion was adopted.

---

*Wrongly voted for NOES.

†Shri Paripoornanand Painuli voted for AYES

16.10 hrs.

BUSINESS ADVISORY COMMITTEE

FIFTY-EIGHTH REPORT

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I beg to present the Fifth-eighth Report of the Business Advisory Committee

16.12 hrs.

DISCUSSION RE REPORT OF THE COMMITTEE ON DRUGS AND PHARMACEUTICAL INDUSTRY

MR CHAIRMAN The House will now take up the discussion under rule 193. Shri Ramavatar Shastri

श्री रामावतार शास्त्री (पटना) : सभापति जी, हमारा देश बहुत ही गरीब है और 28 वर्षों की आजादी के बाद भी इस की गरीबी मे बहुत कमी नही आई है। जिस तरीके मे हमारी जिन्दगी के लिए भोजन, वस्त्र और मकान जरूरी है, उसी तरीके मे दवा भी हमारे जीवन के लिए जरूरी है और खास तौर से जो आवश्यक दवाए है, वे तो और भी ज्यादा जरूरी है। लेकिन दुख है कि पिछले 28 वर्षों के अन्दर अभी तक हम हिन्दुस्तान के केवल 25 फीसदी लोगो को दवा दे सके है या उन के पास दवा पहुचा सके है। खास तौर से देहातो के अन्दर दवाओ का नितान्त अभाव है और गरीब बिना दवा के मरते है, बिना खाने के तो मरते ही है। दवा भी उन्हे आवश्यकता होने पर नही मिलती।

मैं यह कहना चाहता हू कि एक तरफ तो यह स्थिति है और दूसरी तरफ हम देखते है कि हमारे देश में दवाओं के मामले में जितनी बहुजातीय या बहुराष्ट्रीय विदेशी कम्पनिया है, उन्होंने दवा उद्योग पर अपना शिकंजा जमा लिया है और वे नही चाहती कि भारतीय दवा उद्योग विकसित हो और यहा की आम जनता को सस्ती से सस्ती और आवश्यकता के मुताबिक उन को दवाएं मिले।

इन बातो की जाच के लिए सरकार ने हाथी कमेटी का गठन किया था, जिस कमेटी मे माननीय सदस्य भी थे, दवा उद्योग के कुछ उद्योगपति भी थे और कुछ बडे बडे वैज्ञानिक भी थे। उन तमाम लोगो ने बहुत मेहनत कर के, परिश्रम कर के, तमाम चीजो का पता लगा कर सरकार के सामने अपनी सिफारिशे की थी और उन की संख्या 200 से अधिक है। उन मे से एक मुख्य सिफारिश यह थी कि बहुराष्ट्रीय दवा कम्पनियो को, इजारेदार विदेशी कम्पनियो को सरकार को अपने हाथ मे लेना चाहिए लेकिन सरकार अभी तक उन को लेने मे हील-हवाला कर रही है, उन्हे लेने से इकार कर रही है। यह सिफारिश हाथी कमेटी की सब से महत्वपूर्ण सिफारिश थी।

सभापति जी, हमारे देश मे बहुजातीय कम्पनियो की संख्या 66 है और उन का शिकजा हमारे देश के दवा उद्योग पर बडा जबर्दस्त है। उन मे से दस कम्पनिया ऐसी है जिन की सो फीसदी इक्विटी या शेयर विदेशी है। 50 से 99 प्रतिशत शेयर वाली 24 विदेशी कम्पनिया है। 40 से 50 प्रतिशत शेयर वाली 15 कम्पनिया है। 26 से 40 प्रतिशत वाली 11 कम्पनिया है और 26 प्रतिशत से कम वाली 6 कम्पनिया है। इस तरह से जहा तक बहुराष्ट्रीय कम्पनियो का सम्बन्ध है जो हमारे देश

मे काम कर रही है ये उत्पादन क्या करती है ? 45 प्रतिशत ड्रग फार्मलेशन ये बनाती है और 33 प्रतिशत बल्क ड्रग्ज बनाती है। इससे यह साबित होता है कि हमारे देश का दवा उद्योग इनके आधिपत्य मे है और हमारे देश मे 2000 से अधिक भारतीय दवा उद्योग की जो यूनिटें हैं जिन मे एक आध ही बडी कम्पनी है, बाकि तमाम छोटी ही कम्पनिया है। साराभाई कम्पनी को अगर हम छोड दे तो आम तौर से तमाम कम्पनिया छोटी है। ये उनके कम्पीटीशन मे चल नही पाती है। ये जो बहुराष्ट्रीय कम्पनिया है ये बाहर से, अपना पेरेंट बाडी से दवाए मगा कर यहा महगे दामो पर बेचती है और हिन्दुस्तान की जनता का रक्त शोषण करती है और जनता को दवाए भी नही मिल पाती है।

सभापति महोदय, मैने जो आकडे आपको दिए है ये आकडे हाथी कमेटी की रिपोर्ट मे है। डायरेक्टर जनरल आफ टेक्नीकल डिवेलेपमेंट के अनुसार वे जिन को रजिस्टर किया गया है, और जो सगठित क्षेत्र मे है उन की सख्या कुल 116 है जिन मे से 66 बहुराष्ट्रीय कम्पनिया है। जहा तक इन बहुराष्ट्रीय कम्पनियो का सम्बध है हमारे देश मे दवाओ का रिसर्च करने मे, नए नए रिसर्च करने मे इनकी दिलचस्पी बिल्कुल नही है। कारण यह है कि अगर यह बात हो गई तो दवाए यहा बनने लगेगी, यहा के वैज्ञानिको को लाभ होगा, देश को लाभ होगा, जनता को लाभ होगा। इस वास्ते रिसर्च ये नही करती है या बहुत कम करती है। शायद दो तीन कम्पनिया ही इस काम मे दिलचस्पी रखती है। जहा तक इनकी चलती है नाम बदल कर ये अपने देश से दवाए मगा करके बेचती है ताकि ज्यादा से ज्यादा दवाओं की कीमत ये वसूल कर सके और हमारे देश को लूट सके। टानिक आदि दवाए भी ये लाती है जिन की हमारे देश को बहुत ज्यादा जरूरत नही है। मै चाहता हू कि इस प्रवृत्ति को निरुत्साहित किया जाए। ऐसा आपने किया तो ज्यादा अच्छा होगा। इस तरह की दवाए, ज्यादा से ज्यादा दामो पर बिकने वाली दवाए ये अपने देशो मे मगाती और उनको बेचने की कोशिश करती है। इस चीज को बन्द करने की सिफारिश भी हाथी कमेटी ने की है। हमारे देश मे कोढ की बीमारी बहुत होती है टी बी की बीमारी बहुत होती है। इस तरह की बीमारियो के इलाज के लिए दवाओं का रिसर्च होना चाहिये, अन्वेषण होना चाहिये। इस काम को ये बहुराष्ट्रीय कम्पनिया नही करती है क्योंकि इस तरह की बीमारिया जो खास तौर से हमारे देश मे है, उनकी दवाओं मे उनको ज्यादा मुनाफा नही होगा। इस वास्ते इस तरह की दवाए बनाने मे वे दिलचस्पी नही रखती है। जैसा मैने पहले कहा अपनी पेरेंट आर्गेनाइजेशज से इटरमिडिएट ड्रग्ज ये मगाती है और उनको ज्यादा दामो पर बेचती है जिसका लाजिमी तौर पर बुरा असर भारतीय दवा कम्पनियो पर पड़ता है, उनकी दवाए नहीं बिकती है उनके कम्पीटीशन मे, उनके मुकाबले मे हमारी कम्पनिया खडी नही हो सकती है। इन बातो को देखते हुए हाथी कमेटी ने सिफारिश की है कि मल्टीनेशनल कम्पनियो का राष्ट्रीयकरण करके सरकार उनको अपने हाथ मे ले ले।

साथ ही हाथी कमेटी की यह भी सिफारिश है कि 117 आवश्यक दवाए है जिनकी हमारे देश मे ज्यादा से ज्यादा

[श्री रामावतार शास्त्री]

आवश्यकता है । जो विदेशी कम्पनिया इन दवाओ को बनाती है, कमेटी ने सिफारिश की है कि उन्हे उत्पादन अधिक नही बढाने दिया जाये और जो भारतीय कम्पनियां हैं, चाहे वह राजकीय क्षेत्र मे हों या निजी क्षेत्र मे, उन्हे इस तरह की दवाओ का उत्पादन बढाने का मौका दिया जाये, प्रोत्साहन और मदद दी जाये। लेकिन उन सिफारिशो को मानने से सरकार कतरा रही है । अगर ये 117 दवाए हमारे यहा बनने लगे चाहे प्राइवेट सेक्टर हो या पब्लिक सेक्टर, दोनो मिलकर बनाये तो 85 फीसदी लोगो का इलाज किया जा सकता है, जिसकी तरफ ध्यान दिलाने की कोशिश इस कमेटी ने की है ।

नो-हाऊ आज हमारे देश मे कम नही है । आप जानते हैं कि बहुत से क्षेत्रो मे हमारे यहा के लोग बाहर जा जा कर बहुत शानदार काम कर रहे है । हमे बहुराष्ट्रीय कम्पनिया से नो-हाऊ लेने की जरूरत नही है । आज आवश्यकता दृष्टिकोण को बदलने की है । आप दृष्टिकोण को बदलिय फिर नो-हाऊ पैदा हो जायेगा और फिर इस तरह की विदेशी लूट बन्द होगी और हमारे यहा दवाए बहुत बनेगी । इस कमेटी ने नो-हाऊ का विकसित करने और हमारे देश मे टानिक के नाम पर जो विदेशी दवाए बिकती है, उसकी डिस्करेज करने की सिफारिश की है । इन सब बातो की तरफ सरकार ने ध्यान नही दिया है । उल्टे इस देश मे साजिश चल रही है बहुराष्ट्रीय कम्पनियो द्वारा देशी कम्पनियो के हडपने की । 20 तारीख के पैट्रियाट मे खबर निकली है कि–

"मल्टी नेशनल जायट मे बाई बगाल ड्रग फर्म" । उनको हम अपने कब्जे मे क्या करेगे, वे तो हमारे यहा की और कम्पनियों को खरीदने की कोशिश कर रही हैं । राज्य सरकार उस कम्पनी को लेने को तैयार, कच्चा माल देने को तैयार फिर भी कम्पनी तैयार नही, वह बहुराष्ट्रीय कम्पनी के हाथ बिकने को तैयार है ।

जब हाथी कमेटी ने सिफारिश की है तो आप क्यो नही ऐसी कम्पनियो को ले लेते ? बहुराष्ट्रीय कम्पनी को लेकर 117 दवाए स्वय बनाये । आप इसमे क्यो कतरा रहे है ? इसमे कुछ राज जरूर है, मैं उसकी तरफ ध्यान खीचना चाहता हू । 20 अक्तूबर के इकनामिक टाइम्स का उद्धरण मै देना चाहता हू—

The Economic Times, October 20, says as follows

> "A LEADING AMERICAN PHARMACEUTICAL corporation has said it had made payments to officials of foreign governments in order to boost sales, reports Reuter
>
> American Home Products Corporation has wholly or partly owned subsidiaries in many countries including Western Europe and South America The corporation did not reveal the exact amount of payments but said that based on a review of recent years, the total amount in any one year did not exceed 750,000 dollars The 'commission type payments' were made to facilitate sales, it added The governments were not identified."

इसका अर्थ यह भी लगाया जा सकता है कि हिन्दुस्तान की सरकार के बडे-बडे अफसरो को भी कमीशन मिल रही है और वह इसलिए मिल रही है कि बहुराष्ट्रीय कम्पनियो का राष्ट्रीयकरण न किया जाये । सरकार मे ऐसे लोग घुसे पडे है, इसलिए भी इसकी आशा नही करनी चाहिये ।

हम यही मांग करना चाहते हैं कि हाथी कमेटी की सिफारिशो को मानिये वह बहुमत की सिफारिश हैं । -- सिफारिश में दवा उद्योग के प्रतिनिधी वैज्ञानिक तथा पार्लियामेंट के सदस्य भी शामिल हैं । उन कम्पनियो को लेने से आप हिचकिये नही ।

सरकार की तरफ से तर्क दिया जाता है कि अगर हम बहुराष्ट्रीय कम्पनियो का टेक-ओवर करेंगे, अपने हाथ मे लेंगे, कब्जे म लेंगे तो पैसे देने पड़ेंगे । यह बिल्कुल लचर दलील है । आप याद कीजिये बंगाल की कलकत्ता ट्राम्वे कम्पनी की बातें जो अंग्रेजो की कम्पनी थी । वहा की सरकार ने हिम्मत दिखलाई और उस कम्पनी को कब्जे कर लिया । उसे एक कानी कौडी भी नही देनी पडी । आप इस तरह की लचर दलील क्यो देते है । संविधान के अनुसार आपके लिये कोई पैसा देना जरूरी भी नही है । जब आप देर करते है तो जनता के मन मे भ्रम पैदा होता है कि ये नाम तो लेते है समाजवाद और गरीबी के मिटाने का लेकिन गरीबो का दवा देने के लिये जो बहुराष्ट्रीय इजारेदारो की कम्पनिया है उनको सरकारी अधिकार मे नही लेना चाहते । इन बहु-राष्ट्रीय कम्पनियो के लाग कौन है ? वे देश के शत्रु है, डी-स्टबिलाइजशन (अस्थिरता) पैदा करने वाले है । जो नेता सही मानो मे जनतांत्रिक उसूलो मे विश्वास करते है, समाजवाद मे विश्वास करते हे, ये कम्पनिया उन की हत्या करवाती हैं । आपने चिली मे एलेंडे की हत्या के बारे मे सुना होगा । अभी बंगलादेश मे भी इसी प्रकार हत्याएं की गई हैं । ये बहुराष्ट्रीय कम्पनिया अपने फायदे के लिए, देश को अपने बगल मे रखने के लिये ये हत्यायें करवाती है ।

मेरा निवेदन है कि मंत्री महोदय साफ साफ बतायें कि सरकार इन बहुराष्ट्रीय कम्पनियो को टेक ओवर करने से क्यो कतरा रही है । क्या उन की सरकार मे बहुराष्ट्रीय कम्पनिया के लोग या उन के दलाल घुसे हुए है ? मैं नाम लें सकता हू । मेरे पास नाम है । एक रेलवे बोर्ड के फार्मर चेयरमैन है । हम रामनाथन् का नाम बता सकते हैं । ये लोग विदेशी इजारे-दारो की सेवा करते हैं उन की हा मे हा मिलाते है और उन की भक्ति करते हैं । क्या ऐसे लोग सरकार मे घुसे हुए है इस लिए वह यह कदम उठाने मे हिचक रही है ? यदि यह बात नही है, तो सरकार को उन कम्पनियो को टेक-ओवर कर के भारतीय प्राईवेट सेक्टर और पब्लिक सेक्टर मे दवाये बना कर जनता को देनी चाहिए । वास्तव मे देश के सौ फीसदी लोगो को दवाए उपलब्ध करनी चाहिए । कम से कम 117 आवश्यक दवाये बना कर 85 फीसदी लोगो को मुहैया की जाये ।

मैं उम्मीद करता हू कि मंत्री महोदय आज देश को विश्वास मे लेने के लिए स्पष्ट ऐलान करेंगे कि सरकार ने इस बारे मे क्या निश्चय किया है या वह कब तक निश्चय करने का विचार रखती है । मुझे विश्वास है कि मंत्री महोदय मेरी दोना बातो का जवाब देंगे ताकि हम विदेशी इजारेदारो के पंजे मे निकल सकें और उन की कमर तोड़ा जा सके, क्योकि जब तक ऐसा नही किया जायेगा तब तक हम अपनी जनता को आवश्यक दवाये सस्ते दामो पर नही दे सकेंगे ।

SHRI H N MUKERJEE (Calcutta—North-East) Mr Chairman, Sir, I am happy I have this opportunity of asking the Government to explain how it is that the Report of the Hathi Committee with a distinguished composition has been treated with the indifference that we have seen and how it is that the Government appears

[Shri H. N. Mukherjee]

insensible to certain traditions which are also associated with our public life in relation to the drugs industry.

The Minister is comparatively a young person. I remember very distinctly how in early days, after the First and Second Parliament the late Gen. Sokhey had a great deal to do with persuading Jawaharlal Nehru to a certain arrangement with the Soviet Union which led to the establishment of IDPL and certain other establishments. I also know and I am sure many people in Government know the hostile elements which were then at work in order to make it impossible for this country to have a central drugs industry.

I also recall the much earleir days when the national movement was on the upsurge, men like Acharya Profula Chandra Ray, the great scientists, set up the Bengal Chemical and Pharmaceutical Works and how in the west also, the family of Sarabhai at one time known to have petriotic predilictions did start work of that description but later preferred the comforts and the rewards of collaboration with certain interests from abroad. But at one point of time in our national movement, there was a great stress naturally laid upon *Swadeshi* production of drugs necessary for the health and happiness of our people.

The Hathi Committee produced its report in April last year, nearly a year ago, and the Government is still cogitating even though it is constrained to say that it accepts its general approach.

I am a little unhappy; I do not know, my eye-sight might not be as alert as it ought to have been, but I do not see our friend Shri K. D. Malaviya here, a friend presumably of all progressive causes, whom somehow the multi-nationals in the drug industry discovered—perhaps it was a superfluous discovery—but they discovered very well that he was a paper tiger and he gave them a certificate when in regard to the Hathi Committee report he professed to have a non-doctrinaire approach and he said we have to have a lot of time cogitating over the recommendations of the Hathi Committee report.

We all know our friend, Mr. Hathi, a very estimable person, a person who is not a foam-at-the-mouth revolutionary, a person who is cogitating over things in the most contemplative manner, his name is suggestive of the spirit of India, so to speak. Mr. Hathi. I do not know, how he had reacted when Mr. K. D. Malaviya chose to say that the Hathi Committee report had made a doctrinaire approach and why? Because the bug, of nationalisation has somehow bitten Mr. Malaviya

The Hathi Committee Report wanted nationalisation; there is no doubt about it, but it specifically proposed, something very much more tangible, which was a take-over. Let it be taken over. Government had all kinds of worries about nationalisation. I discovered the other day from an answer to a question Government telling us that in regard to the nationalisation of sugar mills, it is a matter of much complication and difficulty and, therefore, has to be considered Our friend, Shri Genda Singh had moved three or four years ago in the All India Congress Committee a resolution which was unanimously passed asking for the nationalization of sugar industry in Bihar and U.P. They have got this fear of nationalization. But Hathi Committee report had wanted take-over. I am quoting from the National Herald:

"The Hathi Committee which was not made up of revolutionaries has recommended the take-over of the multi-nationals which have been

holding the country to ransom over the years."

There is no question of any doctrinaire approach in this as Mr. Malaviya had suggested at that point of time. My friend, Shri Ramavatar Shastri has just said how you can take over under the law, as it is. It has been done in west Bengal, Kerala and elsewhere; you can get into the picture and take over these. This recommendation about the virtual nationalisation of the multi-national corporations was adopted because nine members out of the sixteen who were there supported it; four out of the five M.Ps supported it except my friend Mr. Stephen; Heaven knows for what reasons. He is a God-fearing man; I suppose, he would tell us his reasons. Four out of five M.Ps had supported it; the Director of the National Chemical Laboratory had supported it; the Director of Haffkine Institute, Bombay had supported it with some more extreme formulations which the entire Committee could not accept. The Drug Controller had accepted it; the Director of the Central Drug Research Institute had accepted it; only a few officers who were there always to sing hallelujah to the status quo stood in the way of accepting all these recommendations on a near unanimous basis. Here is a recommendation made by what you call a high-powered Committee; what powered and unpowered committees signify, I have not been able to decipher. Here was this Committee which by a majority had asked for the take over of these multi-nationals and you do not do it. Why you do not do it is something which needs a great deal of explanation.

These multi-nationals are functioning here. Ten of these companies in the drugs sphere are with hundered per cent foreign capital, 24 with 50 to 59 per cent, 15 with 40 to 50 per cent, 11 with 26 to 40 per cent and 6 with below 26 per cent. Out of 66, more than half are functioning in defiance of FERA or whatever other law which Parliament has legislated the other day. These multi-nationals are functioning here and functioning absolutely deleteriously in so far as the interests of our country are concerned. There will be little time because I am sure many more members would wish to participate on this subject. Otherwise, I can give you more details with regard to the grip these multi-nationals have on the drug industry in our country. You hear about it for decades now but yet, nothing very much seems to have been done.

I discovered lately how even a country like Britain is victimised by these multi-national corporations. There is the firm of *La Roche* which declared profits of only Pound 3 million between 1966—1972, while by means of what they call 'transfer pricing' they had drained out 29 million pounds sterling and when the British Government wanted to put their foot down, the senior Directors of the group emphasized, according to a book on this subject, that 'they did not want to adopt a threatening posture towards the British Government but they were being driven to certain things which the British Government would regret.' We, in this country, unlike the British Government have not even the wherewithal to find out how this transfer pricing mechanism acts to the detriment of our country's financial interests and yet we are at the mercy of these multi-nationals and we do not know what we should do about it.

Certain other figures also are rather eloquent. About 70 per cent of the total sales turn-over of drugs in our country, *viz.*, Rs. 370 crores belongs to the foreign sector. Out of the total turn-over of Rs. 370 crores, the value of tonics, household remedies, vitamins and minerals, etc. comes to about

[Shri H. N. Mukherjee]

Rs. 70 crores. Here again is a racket because the Hathi Committee had said that most of these things are unnecessary, absolutely no good, so far as the health of our people are concerned, some tonic preparations like Waterbury's Compound or some such concoction, they are no good at all, but they comprise a large part of this whole lot.

I find also that in regard to the pricing of these non-essential drugs like Waterbury's compound and other things which I need not specify, the Hathi Committee is very clear that in regard to pricing, our control should be exercised positively, but nothing is done about it. The Hathi Committee had recommended that 117 basic drugs are absolutely important. 80 per cent of the diseases which are rampant in this country could be controlled if only we can make sure of the supply of these 117 basic drugs and self-reliance could be achieved, according to Hathi Committee, in one year's time. But, no nothing would be done in this regard because the stranglehold of the multi-nationals is a kind of garland which the Government has chosen to wear in spite of whatever detriment is implied on account of the operations of those multinationals.

We find again that such a company as Pfizer was sought to be checked. I cannot go into the details of it. They went to Court and even to the Supreme Court and got an injunction. For more than three years, the kind of check which the Government could put on Pfizer cannot be put into operation. But instead of looking askance over the operations of these multinationals. I am told the West Bengal Government, in the hope of Pfizer, a multi-national corporation, setting up a unit in West Bengal and, therefore, adding to the economic image of that unfortunate State, are trying to welcome Pfizer there, while, according to the calculations of the Hathi Committee experts, what the Pfizer wants to instal in West Bengal would mean the employment of not more than 250 people in a certain factory. It would have a lot of advertising apparatus because these multi-nationals spend a good deal more on advertising than perhaps any other single body of business people in this country or anywhere. They know well that only by crowing about their achievements, they will get a good deal and by distributing their advertisement material and also some samples to our doctors, they can corrupt our medical profession and they can buy them up, so to speak, and because of the craze for foreign that so many of our doctors and other specialists happen to have even now, they like the label to have a kind of a foreign accent about it Even in the small scale sector foreign multi nationals got certain advantages. There is Abbot with a capital of Rs. 1 lakh. S K F with nothing at all invested here is operating, Anglo French with Rs. 10,000—these three multi-national concerns have a turnover each of Rs. 2 to 3 crores. They can be pushed out of the small scale sector at once by an order of Mr. Sethi tomorrow if he wishes to do so, but it is not being done.

Nearly a year has passed since the Hathi Committee Report came but we find that it is not being given the attention which it deserves and all these recommendations which were so important are more or less put on the shelf.

The other day, the Minister for, I do not know the designation of the Ministers these days. You have not issued Who is Who. My old and young fried Mr. Sethi has come back but I *do not know his designation.*

He said the other day that Rs. 140 crores of foreign capital is invested in India in so far as multi nationals are concerned, but 'no' my figures are Rs. 27 crores are invested by them, but of course, they make a lot more, like IBM, Fire-Stone and others. Fire-Stone came with Rs. 10,000 and they have got a reserve fund of Rs. 200 crores or something like that, made out of the Indian money. So, it is not Rs. 140 crores as Mr. Sethi has said in the other House but it is Rs. 27 crores or so. Our Indian people are ready to come forward if they have necessary assistance. Mr. friend Mr. Karan Singh said from time to time a good word about our scientific personnel. Encourage those scientists and those people who are coming forward to work for the country, not for IBM or Drug operations abroad but for our own country's interest. Our Indian personnel are ready. The Director of the National Chemical Laboratory in Poona, for example, is ready to come forward with so many suggestions which he has been tangibly contributing to the advancement of the National Drug Industry. We want an Indian National drug policy and there is a kind of body which is recommended by the Hathi Committee, which if you set up with the assistance of the Indian personnel whom we can get from all parts of the country, we can go ahead greatly faster IDPL, HAL and other organisations. you have in different parts of the country. But apart from that the small scale sector can be encouraged. The Indian entrepreneurs who are in this industry suffer under the yoke of these multi nationals even though sometimes in order merely to survive they have to keep on with them but you assist them to the extent you can. You mobilise the requisite assistance for the Indian national sector

We have scientists and specialists of whom the world can be proud. Some of them had come forward in the Hathi Committee to give evidence and others, through participation in the policy formulations of the Hathi Report, have come forward to proclaim their patriotic determination and that is why I say, follow what Gen. Sokhi had tried to do with the active assistance of Shri Jawaharlal Nehru who took the initiative of having a real national drug industry in this country, controlled by our people and absolutely independent of these foreign sharks who have continued to exploit our country in a hundred different ways. In this way something worth while can be done. I need not expatiate over the idea of these multi nationals in Chile and elsewhere. We know what has been their role. These multi-national are a cloak for the neo-imperialist control of the world today and if in this sphere of drug industry which is so vital to the life of our people we keep these multinationals in power, we shall be doing a crime of which the country should be ashamed. In regard to this Hathi Committee's recommendations, positive and practical recommendations are there. Put them into practice without delay and if there is delay, then I would say all this talk about the emergency, about leadership gloriously making this country advance at a pace which you cannot even characterise because vocabulary is too weak, all this talk is abracadabra, if you cannot utilise the emergecy for really and truly implementing the policy which would bring good to the people.

I do not know how to characterise your attitudes; I do not know how the people would react, if not today but tomorrow or the day after. At least take note of your duty to the people. stand by the people and help them; and if, in regard to food and to the health of our people you cannot produce results then, I do not know what would happen to

[Shri H. N. Mukherjee]

this country. I am sorry I deviate into other spheres, but, here is a workmanlike report. There is no time. I wish other people, particularly Mr. Stephen, to justify himself, though I do not understand for the life of me, how he could vote the way he did in that committee; let him tell us what he had thought of, but let the House decide and let Government come forward and tell us what exactly its policy is in regard to Hathi Committee report. Let it not be dismissed as Mr. K. D. Malaviya, with effrontary wanted to dismiss it as a "doctrinaire approach", something which is unbecoming of anybody, let alone a man with the kind of past which Mr. K. D. Malaviya has. But may be, he has chosen to forget his past, swallow all that happened before and start on a new slate. I am not concerned with Malaviyas or anybody else. The country has to go forward; the movement has to go forward; the people have to go forward; Malaviya or no, doctrinaire approach or no, here is a workmanlike approach worked out by the Hathi Committee. Accept this approach and try to put it into practice.

SHRI C. M. STEPHEN (Muvathupuzha): I want to put a question. When, in a committee certain deliberations take place, the entire deliberations are there....

MR. CHAIRMAN: He is giving Personal Explanation...

SHRI C. M. STEPHEN: Everything is there in their report. My hon. friend Prof. Hiren Mukherjee mentioned my name twice and made a sort of caustic attack. May I humbly request him whether he can read out any specific sentence from that report which would indicate which view I took there and on what authority he is saying that. Being a member of a committee I am not prepared to say here which view I took or which view I did not take. But he mentioned my name and attributed to me a particular stand which he says I took during the deliberations of the committee and I took in the report. He must be able to read out the particular senence which would indicate the view I took and on what authority he can say that I took a particular view or I did not take a particular view. Sir, no dissenting note has been subscribed by me to that report. Nobody has given any dissent. Whatever recommendations have been given are given unanimously Three views have been expressed differently. Whatever recommendations are there are absolutely unanimous and there was no dissenting note at all given to the report. I am requesting Prof. Mukherjee to kindly read out that particular passage on which he relies to make an attack on a member of the committee or attribute something to a member of the committee, saying that he took a particular view there. This is all the request which I am making.

SHRI H N. MUKHERJEE: I only wanted to find out from him because my information was that he had opposed the idea of a takeover at once, but if he had any reasons—I said he was a God-fearing man—he could tell us about what the reasons might have been.

MR. CHAIRMAN: That is not based on the report. Your view is not based on the report That has now been clarified.

SHRI AMARNATH VIDYALANKAR (Chandigarh): Sir, this discussion which has been arised has given an opportunity for the Government to clear many misunderstandings which might have been created. It has been pointed out that the report was unanimous and it was really an admirable report.

The Government has generally accepted all the recommendations and Shri Malaviya and other Ministers repeatedly declared that generally, they had accepted the report. The only thing is with regard to the implementation of the various recommendations. Naturally that takes time; the government has to take all aspects into account; because you are going to implement something, naturally you are going to take all aspects into account. So far as multinationals are concerned, nobody from the government has said that they did not agree with the recommendations. They have not said that they do not want to nationalise these multi-national companies. The name of Mr. Malaviya has been taken here. If Mr. Malaviya could nationalise the oil industry—Burmah Shell and others —there is no reason for Government not to nationalise these multi-nationals. After all, they said that time was not ripe. If time comes they will nationalise all the multi-national companies. Nobody has said or even the government has not said that multi-nationals should not be nationalised. The only thing is that even the Hathi Committee Report said that in the matter of implementation, we have to be cautious. There may be difference of opinion; with a degree of caution we have to do that. The government or anyone may say that with a greater degree of caution this should be done. Things should not be done hastily. Certain things could be done at a certain time. Others may think that this is not the time. Government has to take all the aspects into account before doing that. If we have faith in government and the government means business, they have certain views in so far as the question of nationalisation is concerned. There the government does not do that with beating of drums just as Prof. Mukherjee wanted. We should start telling them that there are certain reasons behind that. And behind the scene something is happening; somebody is influencing that—All these things are irrelevant if we have faith in government. We should look to what is happening here and the pace with which the government is proceeding. If we know that we are moving in a certain direction—correct direction—it is then rather strange, I should think, that from the CPI from whom I should never expect it—that there should be this kind of opposition or this kind of attitude of attributing motives just as Prof. Mukherjee has done now. I think that so far as Government is concerned, it has accepted most of the recommendations and in most of which Government has taken action. With regard to multi-nationals, they have divided the industry into sectors. They have clearly stated that so far as the foreign companies are concerned, their scope is limited. It has also been stated that they will get licence only with regard to certain items; certain drugs are not being manufactured in India and for which knowhow is not available. Government has to get it from outside. They have clearly stated that in certain sectors, manufacture of certain medicines has been reserved for the public sector just like the IDPL and others. Take for instance analgin. No manufacturing licence is given to any of these multi-nationals or any of these foreign companies. They have taken those formulations from the public sector and their number is 117. They have clearly stated that they will give preference to the Indian sectors and they have invited the Indian Sector and all those who want to manufacture them. I think that the Committee's report was presented only recently. Shri Malaviya and Shri Ganesh were connected with this Ministry for a long time.

They have taken definite steps. Shri Sethi who has taken charge is also proceeding on the same lines and we all hope that so far as the recommendations of the Hathi Committee are concerned, they will be

[Shri Amarnath Vidyalankar]

implemented properly at the proper time in the proper manner. After all, in these matters we are not just dealing with the public; we are dealing with patients in hospitals. Sometimes import of certain drugs is banned. When patients do not get the drugs, the import of which is banned, they begin to curse Government, 'The patient is dying because the medicine is not available' and all that. We are dealing with patients and naturally we have to be very considerate in the matter. We should not deal with this matter in such a manner that patients who would be needing these medicines would begin to curse Government. Not that we are trying to oblige the multi-nationals The Government do not want to do so. They have no consideration for them. They know, as the Hathi Committee has said, that they are here to exploit the people. They have been exploiting them. But after all, if we have to make a change, it takes time But I think we are still proceeding in a rapid manner.

For instance, the Hathi Committee has recommended that trade names should be banned and generic names should be used. Government have decided that in the case of 6 important drugs, only the generic names—not trade names—should be used. Not that they do not want to ban the use of trade names of the other medicines, but they want to proceed with caution. For instance, the name 'Novalgin' was used for analgin Now only the name 'Analgin' will be used, not Novalgin. In a similar manner, they have started implementing the recommendations of the Hathi Committee.

Similarly, in the matter of price fixation, they are not kind to the multi-nationals They have not hesitated in fixing the prices of medicines or of formulations. But there should be proper consideration of these things. That is the only thing which we should appreciate. We are running the administration. We have to be responsible. We have to look at things from all points of view. We have to look at things from the practical point of view, the practical impediments and practical constraints. Otherwise, I do not think there is any basic difference of opinion on the question of what should be done with these multi-nationals. The debate is not that one party says that the multi-nationals should be abolished and the other party says 'no, they should be retained'. We want Indianisation, we want self-reliance. We want that in the field of medicines, all medicines should be available and should be manufactured here. There is no difference of opinion on that. The question is only of time and how we have to proceed. It may be the opinion of some that the progress should be more rapid, we should proceed with more speed. Prof Mukherjee said that our vocabulary is weak It may be weak, but our determination is not weak. We do not just want to do drum-beating. We do not want to declare from house-tops 'No, we are immediately going to nationalise the multi-nationals and other foreign companies'. We cannot declare this from the house-tops. No responsible government can do that. Not even in the socialist countries is such immediate action taken

Therefore, I think there is no difference so far as the intention is concerned But we should take a responsible view in these matters, a considerate view, and we should have faith in Government because we know their intentions are the same, only they cannot declare in these terms in which the Opposition can afford to declare.

17.00 hrs.

Naturally Government which has to run the administration of the country cannot adopt that vocabulary and that

kind of attitude and that kind of drum-beating; that is not possible. That is what I feel.

SHRI DINEN BHATTACHARYYA (Serampore): I do not know why I am called at the fag end; I should have been called just after Shri Ramavatar Shastri; however, I do not mind. Mr. Mukherjee has elaborately dealt with the report what we are now discussing, namely, Hathi Committee's report. As Mr. Mukherjee very aptly pointed out, we find no intention on the part of the government to implement it. Nationalisation is not one of the recommendations here, but only, taking over. You do not have to incur any financial burden in that respect. Still, why there should be hesitation, I do not know. It is presumed that since the Indo-U.S. commission came into existence, Government started negating whatever recommendations were made by this committee. I have no hesitation in stating here categorically that it would be kept in the show-case; only a very minor part of it will be accepted or implemented. Government is everytime coming forward to say that they are very actively considering it. What recommendation are they considering? The main recommendation was that the multi-national corporations which are looting our country must be taken over; they are avoiding that some how or the other. Mr. Malaviya says that we must not have doctrinaire approach. What is their approach? Why was there this committee? It is not unnatural that in a committee consisting not only of M.Ps but a number of other persons also, there should be difference of opinion at the stage of discussions and those differences should be discussed. There might have been a view that instead of taking them over, the government should continue with its present drug policy. It does not matter. When the report was drafted and it came out, it came out as a unanimous report. There are so many recommendations. It is certain that they have no courage now to take over the multi-national corporations.

There was another recommendation that these companies should not be given an opportunity to expand in our country or be allowed to continue looting the country by importing bulk drugs from their parent organisations in other countries and amassing abnormal profits. There is no end to it I do not want to take much time. I shall simply put some questions. Enough facts had been given by Mr. Mukherjee and Shri Ramavatar Shastri and the report contains full information how those companies are running their business and how they are making huge profits which could not be measured and what scope they enjoy.

How are these companies running their business? They are making huge profits which cannot be measured. But nothing has been done to check the profits of these companies in any way. All these companies are making huge profits and they are repatriating their profits to their mother country. And in this way they deprive our nation of a huge amount. Shri Mukherjee has said that our scientists and our experts can take up the formulations and other work. They are not to depend very much on the technical knowhow of these multi-national corporations. They have their own technical knowhow and they have their own expertise and they can do the formulations in a very efficient manner But the Government is standing in their way. Why are the Pfizer and other companies still being allowed expansion of their companies here? It is a matter of shame that the bulk is purchased by these multi-national companies from our own IDPL units and they formulate them. In this way also they are getting profits. Why don't you stop this? The Minister must reply to this point. The Government of India filed a case for damages against

[Shri Dinen Bhattacháryya]

Pfizer and a few other American drug manufacturers for over charging for a whole spectrum of anti-biotic drugs. Some officials of the Ministry of Petroleum and Chemicals visited Washington and New York in this connection. But since their return, they have remained un-communicative, reported the *Economic Times*. The situation not changed after the Hathi Committee's report was out. It has been stated that these companies should not be given permission to import bulk or spread over in the areas where they were not existing now. But the latest position is that the Government has decided to permit Merck, Sharp and Dohme to import basic raw material (methyl-dopa) for making formulations. Proposals for these formulations by Indian companies have been turned down. The foreign company will make large profits not only on the raw material but also by by selling the formulations in this country.

My questions are: What are the recommendations? What is the Government's attitude in regard to them? You must give your categorical reply. What is your stand in respect of those recommendations? How many recommendations have you accepted? What are the recommendations that are still to be considered by you and when that consideration part will be over? You should come before this House and say that you have accepted such and such recommendations and the rest of them have not been accepted. What is the difficulty in accepting the price policy? In the Hathi Committee's report guidelines are given. Very often you will find that some life-saving drugs are not available in the market. But if you pay more and personally approach the Chemist, you will get them.

But you have to pay double the price. All these drugs are being monopolised by the foreign companies. You are not helping in bringing down the prices of essential drugs and making them available to the people during their necessity. Even renowned doctors in Calcutta complain and ask, "What is the government doing?" There are big chemist shops but no medicines. Even in the case of heart attacks, cancer, etc, life-saving drugs cannot be had.

I have no illusion—Mr Mukherjee may have—that this government will implement the Hathi Committee's recommendations. They will not They have no courage to take over Pfizer or other American multinational companies. In fact, they have started hobnobbing with them. They say, we are in a precarious condition, but you cannot get out of it. You may have MISA or any other law, but you cannot get out of this critical situation unless you take a bold stand against imperialist looters —British, American, West German etc, —who are still looting our country. You have to adopt a strict policy.

I request the minister to reply to the questions I have put, so that the country may know the stand that the government is going to take on the recommendations contained in the Hathi Committee report. It is a nice report and it should have been adopted by this Parliament long back, so that the country could have saved a lot of money and our people could have been enabled to manufacture these drugs here itself instead of depending on foreign companies.

श्री शशिभूषण (दक्षिण दिल्ली) : अध्यक्ष महोदय, मैं अधिक तो इस में कुछ नहीं कहना चाहता लेकिन जितनी निराशा हमारे भट्टाचार्य जी को हुई है, मैं नहीं समझता कि भट्टाचार्य जी को कोई निराशा होना चाहिए। हाथी कमीशन की रेकमेंडेशन भी हमारे कांग्रेस के लोडर्स ने ही दी है.

श्रौर वह भी हमारी पार्टी के एक बहुत अच्छे नेता है। तो जो उन्होंने रेकमेंडेशन दी है उस पर ऐसा नहीं है कि उस को कोई रिजेक्ट कर दिया हो या उस को बिल्कुल मानने को तैयार नहीं हो, ऐसी बात नहीं है। उसके लिए आवश्यक समय जो चाहिए वह तो चाहिये ही उसका एक प्रोमेस तो है ही, उसे रोका नहीं जा सकता। अब मुखर्जी साहब ने भी फर्माया उन्होंने मालवीय जी के संबंध में कहा। मालवीय जी राष्ट्रीयकरण के विरोधी हो सकते हैं ऐसी बात तो कोई नहीं मानेगा। बर्मा शेल का अभी राष्ट्रीय-करण हुआ है, पैट्रोल कम्पनियों का हुआ है और इस देश में इसी सरकार ने हिन्दुस्तान के मोनोपलिस्ट्स को और कई जगह विदेशी मोनोपोलिस्ट्स को भी नेशनलाइज किया है। हमारे ही कांग्रेस के लीडरों ने मूंदड़ा जैसे लोगों को जेल में भेजा, फिरोज गांधी ने यह सब किया और बैंक नेशनलाइजेशन भी इसी सरकार के द्वारा हुआ। राजाओं का भी प्रिवी पर्स खत्म हुआ इसी सरकार के लिए और आज भी मैं समझता हूं कि हिन्दुस्तान में जितनी फासिस्ट फोर्सेज थी उन को सबको इसी सरकार ने जेल में रखा आर०एस०एस०को भी रखा है, नक्सलाइट्स को भी रखा है, और लोगों को भी रखा है। तो यह कहा जाय कि इस सरकार ने कोई कदम ही नहीं उठाया मैं यह मानने को तैयार नहीं हूं और मै यह भी मानने को तैयार नहीं हूं कि मालवीय जी राष्ट्रीयकरण के विरोधी है। विदेशी इजारेदारों से जितना वह लड़े है और हिन्दुस्तान में पैट्रोलियम लाने के लिए पिछले दिनों आप ने उनका परफार्मेंस देखा है।

खास तौर से इस बात की जब मैं चर्चा करता हूं तो कुछ लोग इतने उतावले होते हैं कि समझते है उनके अलावा दुनिया में और कोई सोशलिस्ट रहा ही नहीं। वे खुद तो जाकर रिएक्शनरीज के साथ समझौता करते है, कभी आर०एस०एस० के साथ और कभी आनन्दमार्गियों के साथ और फिर अपने को कहते हैं मार्क्सिस्ट तो कुछ स्यूडो मार्क्सिस्ट भी होते है। बहरहाल मेरा उस बात में कोई विरोध नहीं है, मैं यह कहना चाहता हूं यह जो सिफारिश है इसमें खास तौर से एक बात कही गई थी कि एक नेशनल ड्रग एथारिटी बनाई जाये जिसको इतना अधिकार हो कि जो खराब दवाइयां बनाते है, जो विदेशी कम्पनियां हैं जो 600 परसेन्ट, 700 परसेन्ट मुनाफा कमाती है—अमरीका में यही विदेशी कम्पनियां, उनके अपने देश की कम्पनियां अगर इतना मुनाफा लेती हैं तो ऐसी कई कम्पनियों को जोकि मल्टी-नेशनल आर्गेनाइजेशन्स हैं उनको अमरीका के अन्दर भी सजा दी गई है और वहां के लोगों ने उसके खिलाफ आन्दोलन किए है। हम नहीं समझते जैसे चिली में मल्टी-नेशनल आर्गेनाइजेशन्स ने अलन्दे की हत्या करा दी या बंगलादेश में हत्याए करा दी उस तरह हिन्दुस्तान भी इतना कमजोर हो गया है कि कोई मल्टी-नेशनल आर्गेनाइजेशन हमारे देश में भी दखल दे सकता है। वह अपनी कोशिशें जरूर कर सकते है लेकिन हिन्दुस्तान इतना कमजोर नहीं है न यहां के लोग मरे हुए हैं, न आप मरे हुए है न हम मरे हुए हैं कि वह हिन्दुस्तान को भुनगे की तरह उड़ा सकती है। आज यहां पर अमरीका के अलावा स्वीटजरलैंड की कम्पनियां भी है स्वीटजरलैंड की कम्पनियां हिन्दुस्तान की सरकार को हटा नहीं सकती है। कोई भी विदेशी कम्पनी हमारी सरकार को ही उड़ा सकती है, इस बात को मैं नहीं मानता। हिन्दुस्तान की प्रगतिशील ताकतें श्रीमती इन्दिरा गांधी के नेतृत्व में इतनी मजबूत हैं कि वह किसी भी विदेशी कम्पनी को हिन्दुस्तान के मामले में दखल नहीं देने देगी। उनसे हम इसी तरह से लड़ेंगे जैसे कि फासिस्ट फोर्सेज से लड़ रहे हैं।

[श्री शशि भूषण]

कमेटी की सिफारिश के मुताबिक जो अथारिटी बनाने का सवाल है मैं चाहता हूं उसको आप मानें। आपने बहुत से कमीशन्स मुकर्रर किए हैं। मैं समझता हूं अगर इसको आप मान लेते हैं तो आप प्राइसेस को भी कन्ट्रोल कर सकेंगे और जो विदेशी कम्पनियां अंडर इन्वाइसिंग और ओवर इंवाइसिंग करके हिन्दुस्तान से बाहर रुपया ले जाती है उनको भी रोक सकेंगे। इससे आपकी मिनिस्ट्री को भी मदद मिलेगी। आप यह मत समझिये कि हरएक सेक्रेटरी और मिनिस्टर इतना काबिल होता है कि सारी चीजें खुद ही करले इसमें एक्सपर्ट्स की जरूरत पड़ती है। यह एथारिटी बनाने की जो रिक्मेंडेशन है उसको आप मान लेते हैं तो उससे आपको बहुत मदद मिलेगी।

जहां तक ब्रैंड नेम्स का सवाल है, हम बराबर उसका विरोध करते आ रहे हैं। पाकिस्तान जैसे छोटे देश ने भी उसको खत्म कर दिया है। लेकिन हिन्दुस्तान में विदेशी कम्पनियां आपकी अपनी दवाओं को लेकर अपने ब्रैंडनेम से बेचती हैं। क्या वह समझती है कि हमारी हिन्दुस्तान की सरकार इतनी वीक हो गई है कि हमारी दवाई लेकर उस पर अपना लेबिल लगाकर उसको बेचें। अगर इस तरह से टूथपेस्ट, बिस्कुट, दूध, दवाई–सभी चीजों में विदेशी कम्पनियां ही काम करेंगे तो फिर हमारे देश के नौजवान क्या करेगे। सिग्रेट,पेय पदार्थ, दवाई—इन सभी चीजों से अगर ब्रैंडनेम हटा दिया जायें तो हिन्दुस्तान के ट्रेडर्स इन कम्पनियों का मुकबला कर सकते हैं। हिन्दुस्तान से दवाई लेकर विदेशी कम्पनियां उनपर अपना लेबिल लगाकर यहां पर बेचें इससे ज्यादा शर्म की बात और क्या हो सकती है? बिला वजह आखिर यह विदेशों की गुलामी किस लिए है। हमें इस बात का डर नहीं रखना चाहिये कि विदेशी हमसे नाराज हो जायेंगे। आप इस बात को स्पष्ट समझ लीजिए कि हिन्दुस्तान में विदेशी अपना रुपया हमारे मुनाफे के लिए नहीं लगायेंगे। यहां पर चाहे इन्फ्लेशन हो, हम चाहे कितनी ही तकलीफ में हों, वह अपना पैसा यहां पर किसी न किसी अपने मकसद से ही लगायेंगे अगर बेसिक चीज पर लगाना होगा तो उसके लिए वे आस्ट्रेलिया या कनाडा जायेंगे। हिन्दुस्तान में आकर अमरीका या दूसरे देश के लोग अपना पैसा नहीं लगायेंगे। हमने देखा है पांच दस बार हमारे फाइनेन्स मिनिस्टर और दूसरे लोग अमरीका के चक्कर लगाते हैं लेकिन फिर भी वह हमको उतना भी नहीं दे सके जितना कि हमारे ब्लैकमार्केटीयर्स से पिछले दिनों हमने जरा एक इशारे से ले लिया। पैसा हमारे देश के अन्दर मौजूद है, मेहनत करने वाले देश में हैं, टेकनीशियन्ज हमारे देश में हैं। हिन्दुस्तान भर के डाक्टर्स साइन्टिस्ट्स ड्रग मैन्यूफैक्चरर्स ने कान्फ्रेन्स की थी और अपनी रिकमेन्डेशंज श्री के० आर० गणेश जी को दी थीं कि ये सारी दवाइयां जो हम विदेशों से लाते हैं, हिन्दुस्तान में बना सकते हैं। हमें अपने साइन्टिस्ट्स को एन्क्रेज करना चाहिये वे अच्छी दवाइयां बनायें, चाहे उन के पैकेट्स अच्छ न हों, फिर भी हमें उन को एन्क्रेज करना चाहिये। विदेशियों को नये लाइसेंस बिलकुल न दीजिये, उनके एक्सपेन्सन की बिलकुल गुंजाइश नहीं होनी चाहिये। अगर कोई दवा देश में नहीं बन सकती है, तो आप उन से टैकनीकल-नो-हाउ को खरीद लें बजाय इस के कि आप उनको यहां दवा बनाने के लिये लाइसेंस दे। मुझे उम्मीद है हमारे मंत्री जी इस पर गौर करेंग।

ब्रैण्ड नेम्स के बारे में भी कुछ कीजिये, इस को कम करके देखिये, अगर देश को इस

से फायदा न हो, तो फिर ब्रेण्ड नेम्ज को रख लीजियेगा, लेकिन इस वक्त तो इसको हटाने का काम शुरू कीजिये, इस के लिये अथारिटी बनाइये।

जहां तक टेक-ओवर का सवाल है यह मुश्किल नहीं है। जिस दिन आप इन का मुनाफा बन्द कर देंगे, प्राइज कन्ट्रोल कर देंगे, मार्केट में कन्ट्रोल कर देंगे उसी दिन ये अपने आप यहा से चले जायेंगे, ये यहा रह नहीं सकते। इसलिये अभी आप इन को बड़े शौक से रखिये, लेकिन प्राइस कन्ट्रोल कीजिये डिस्ट्रिव्यूशन अपने हाथ में लीजिये और अथारिटी मुकर्रर कर दीजिये। ब्रेण्ड नेम्ज करने शुरू कर दीजिये, हाथी कमेटी की रिपोर्ट इम्प्लीमेंन्ट होनी शुरू हो जायगी। मैं नहीं समझता हूं कि सोशलिज्म की गारन्टी इन सामने बैठने वाले लोगों ने ले रखी है, यह आप के हाथों भी आ सकती है।

17.22 hrs.

[MR. SPEAKER *in the Chair*]

SHRI P. M. MEHTA (Bhavnagar): Mr. Speaker, Sir, during the last several years, several Members from both the sides of the House had raised the question of the role of the drug industry in this country, and had categorically stated on more than one occasion that Government was encouraging the foreign companies and favouring the foreign-dominated companies at the cost of the indigenous companies and that the Government's policy was such that it kept the indigenous industry under the heels of the foreign-dominated companies. And this was exactly the point which we had discussed time and again here; and therefore, Government had thought it proper to appoint a committee and the terms of reference were decided. The hon. Members of this House and the other House were also the members of this Committee. The Hathi Committee has done quite a good work; and the long-awaited report has now been submitted to the House as well. Now the question is one of implementation, viz. whether the Government is sincere and serious to implement the recommendations of the Hathi Committee. Therefore, let us first understand what the aim of the Committee was; or what the object of the House was, in referring certain things to it. I can say that the major recommendations of the Hathi Committee—which as I had said, had consisted of six Members of Parliament—related to: (1) How best the public sector should be developed to attain a leadership role in the drug industry; (2) How best the repaid growth of the Indian sector of the drug industry can be ensured; (3) how best essential drugs and common household remedies can be made available to the remote rural areas at reasonable prices; and (4) how best quality control measures over drugs could be tightened and imporved upon. These were the broad objectives for which the Hathi Committee was appointed.

The question for consideration is whether the priorities which flow from this reference were properly followed up and implemented. This requires a basic change in the governmental structure as well as their thinking. If they do not change the present structure and if they do not change the basic thinking, then, I am afraid Government will not succeed in implementing those recommendations

Certainly, some steps have been taken up to help the indigenous sector, which means the public sector. I must give due credit for this to Shri K. R. Ganesh. But for him, I think the officials of the Ministry would not have acted in the way they did now.

SHRI DINEN BHATTACHARYYA: For that fault he is no longer there.

SHRI P. M. MEHTA: I know it personally that he has laboured hard. So, the House must give due credit to him.

Some facts mentioned in the Fifth Chapter of the Report of the Committee are revealing. The heading of the Chapter is "Development of the Drug Industry and the Indian Sector"—I would like to refer to the revealing facts which emerge from this Chapter of the Hathi Committee Report. It says that the foreign drug industries have a stranglehold in the drug industry and have been able to keep the Indian sector muzzled through superior salesmanship and by gaining the support of the medical profession. It means that the indigenous sector of the drug industry was completely neglected by the Government. The Report further says that out of the total production of Rs. 370 crores, the value of tonics, household remedies, etc. total about Rs. 70 crores, 20 per cent roughly. In this matter, the officials of the DGTD and the officials at the lower rung of the Ministry of Petroleum and Chemicals were responsible for liberally granting licences for non-essential tonics, alcoholic preparations, etc. to foreign firms through the grant of so-called permission letter and COB licences. The Hathi Committee has declared these permission letters and COB licences as not being backed by the provisions of the Industries (Development and Regulation) Act. It is worth noting that these licences were not backed by the Act under—which they ought to have been backed.

The Report further says that a major share of the basic drugs and formulations are made by the indigenous sector. So, the basic policy enunciated by the Government for the development of the drug industry is not so bad, but distortions have crept in at the level of implementation by the Ministry of Petroleum and Chemicals and the Licensing Committee. To remedy the situation the Committee recommended that a positive policy to help the Indian sector should be initiated forthwith and the details of such a policy should be spelt out. I would like to ask here what comes in the way of the implementation of this recommendation. I will come to those reasons later.

Simultaneously the Committee recommended that the dominant influence of the foreign sector should be reduced, and for this purpose the Committee has made a unanimous recommendation of the ultimate taking over of the foreign, firms, for which Shri H. N. Mukherjee also pleaded in his speech. For the interim period there are specific recommendations also, that the foreign firms should be immediately asked to bring down their equity to 40 per cent and progressively dilute it further to 26 per cent. This is a unanimous recommendation and Government should implement it forthwith. This can be done without following any complex procedure, but Government has not yet come forward with any action in this direction.

The task which lies ahead of the country has been set out very clearly by the Committee by stating that the drug import bill of the country should be reduced. Yesterday there was a report in the press that our trade balance has deteriorated and is adverse to us by over Rs. 1000 crores. Therefore, all these recommendations will ultimately help us in building up the health of the general economy as well as the health of this industry.

Another important recommendation of the Committee is that the technology required for the basic drugs should be developed through coordinated research carried on at the national labouratories and academic institutions to achieve a balance between foreign exchange inflow and

outflow by using exports in a judicious manner without affecting the domestic demand adversely.

These are some of the very important recommendations made by the Committee and Government should come forward to implement them immediatly.

The Committee has also recommended that the small-scale sector of the industry should be encouraged by giving it proper incentives. It is very interesting to know that the Committee has come to the conclusion that foreign drug companies with their global philosophy of profit at any cost are not interested in furthering our socio-economic objective of supplying drugs at cheap rates to our people and to our remote villages and to further strengthen our own indigenous field in this industry. Therefore, why should not Government take immediate action to control these multi-national companies?

Sir the Minister of Chemicals and Fertilizers, in answer to a question in the Lok Sabha on 12th January, 1976 stated that most of the recommendations of the Hathi Committee have been accepted and action has been taken. I do not know what action has been taken. I hope the Minister will enlighten me on this. I think he has given answer for the sake of giving an answer. Mr. Ramavatar Shastri has given me a piece of information that the basic recommendations have not been accepted.

For the last five years, what has happened? While the Foreign firms have been busy piling up profits and remitating them to their principals through the sale of essential and non-essential drug formulations, the Ministry of Petroleum and Chemicals kept the Indian sector firmly under their heels by refusing to license for their essential drug formulations which have been the monopoly of foreign firms unless the relevant bulk drugs are also produced by the Indian sector. They asked the indigenous sector to import relevant basic drugs in bulk. The foreign companies are having the advantage on that principle. They imported the basic drugs in that way and got the profit. Again, they got the advantage to formulate in this country. So, from both the side, they have exploited the situation and the Government has become a party to the exploitation of our people.

Now, I am coming to the most important recommendations which are aimed at helping the Indian Sector. They are: No. 1, 45, 35, 17, 15, 12 11, 18, 19 and 9. These recommendations can be implemented forthwith by the Ministry without seeking any Cabinet approval for their action. But the Ministry's officials are misleading the Minister or the Government. They say that some amendment to some act is required for drug purpose and that act cannot be implemented. Therefore, all these recommendations cannot be implemented. When I started speaking, I said that some basic change in the Government's thinking was required and the structure of the Government should also be changed the Government should immediately come forward to implement the recommendations.

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Mr. Speaker, Sir, at the very outset, I wish to compliment the Chairman and the members of the Hathi Committee for bringing out this report in a very short spell of time. This committee was formed on 8th February, 1974, and in spite of the technicalities of the subject and the vast scope of enquiry, the Committee has brought out a very brilliant report within a comparatively short span of time. I feel that the Government should also show the same initiative in taking action upon these recommendations. As the committee has taken steps to produce the report within a short spell of time, without any delay, Government has also to do its part in coming to its own conclusion on the recommendations.

[Shri Dinesh Chandra Goswami]

My learned friend who preceded me criticised that there should be a change in the basis approach of the Government. I feel that no change is necessary because the approach of the Government has been clear not only today but from long back. Even when the Industrial Policy Resolution in 1956 was adopted and subsequent steps were taken, the entire objective of the Government was to encourage the indigenous sector and to do away with the foreign sector as far as possible and practicable. It was with this objective that these different complexes were established at Pimpri, Rishikesh, Hyderabad, etc., and all these complexes are doing good work in spite of the fact that there has been a recommendation or an observation on the part of the Committee that some of the complexes can be improved. Therefore, there is no necessity of basic change in the approach of the Government. The approach of the Government is very clear. We should act firmly on the approach which we took not only now but about 20 years ago.

The main purpose of the Committee was to find out the ways and means by which the public sector and the private sector of our country can be encouraged. Nobody can deny that it is on the encouragement of the public sector and the private sector in the drugs and pharmaceutical industry that the health of this country, both in the literal sense and otherwise, to a great extent depends Today, to a great extent, the entire burden of the drugs and pharmaceutical industry is being borne by the public and private undertakings of our country itself. If my statistics are correct, out of 2,500 units, the small scale units account for almost 2,300 units. So far as the areas are concerned, the foreign domination is little, but on the question of amount of profit, the foreign companies still dominate the scene.

Nobody denies that the purpose of the foreign companies, wherever they go, is not to help the economy of the country. They are guided by the motivation of profit. We have seen for many years and it has been the experience of all the countries that they try to derive the maximum profit out of the minimum investment. In fact, in the Committee Report itself, the Committee has pointed out that the foreign companies started with the minimum of investment and they have now really been able to multiply their profits to great extent with the result that as against their original investment which was less than Rs. 30 crores, today if you are to take over them, and give compensation, we shall have to pay Rs. 140 crores. It shows that they have really misappropriated this amount out of the funds of this country or out of the earnings of the people of this country.

Again, the Committee has suggested that these multi-national corporations have been resisting the growth of indigenous sector from the very inception Therefore, I feel that so far as the multi-national corporations are concerned, the Government should certainly take a firm view. I am of the view that in these matters, one should not take a doctrinaire approach. I do not know why Mr. Mukherjee critised Shri K. D. Malaviya for his statement that the Report of the Hathi Committee should not be approached from doctrinaire stand point. In a matter where the health of the people of this country is concerned, we cannot or should not take a doctrinaire approach. But the apporach should be clear and as far as possible practicable.

The influence of the multi-national corporations, the foreign concerns, should be diluted and our indigenous concerns should be encouraged. So far as this Report is concerned, the majority recommendation here is of the view that these foreign concerns should be taken over. Somebody said that they should not be nationalised but taken over. I find it very difficult to understand what is the basic difference between nationalisation and take-over or I do not know whether you

can take over the foreign concern without nationalisation. I do not understand it. The hon. Member may clarify it. Whether we take over or nationalise it, there is hardly any change in the whole setup.

The Government should seriously consider the majority recommendation as also the minority recommendation because these are two viewpoints. I am not one of those, who will say that the miniority views were influenced by certain quarters or the majority views were influenced by certain quarters. I will take it that both these views were arrived at by respective members after careful deliberations. These two views are before the Government. If the Government is in a position to take over these multi-nationals corporation, or foreign firms, it is better, and if not at least their influence should be diluted. Therefore, I would request the Government or urge upon the Government to very seriously consider whether it is possible to take over these foreign firms, if not, how far we can dilute the influence of these multinational corporations so far as these very important industries are concerned. I would request the Government to take as far as practicable quick decisions. After all, nobody can deny that to rely upon these foreign firms so far as important drugs are concerned, has certain risks also. We have seen in the international scene that often pulls and pressures are built up in different ways and, therefore, if it is possible for our own scientists and doctors to invent medicines of our own, why should we not encourage them? That objective should be very clearly kept in view and the Government should take steps accordingly.

So far as the brand names are concerned, my friends who have participated in the debate, have, more or less said that the brand names should be done away with. I think, even the World Health Organisation recommendation is that the brand names should be done away with. The medical panel which was constituted by this Committee has made the same recommendations and there is a resolution of the Indian Medical Association about this. Mr. Mukerjee pointed out that by virtue of the Supreme Court judgement, Pfizer or Somebody were able to carry on with a patent for three years. There is a very important recommendation in the Hathi Committee Report in this respect. On page 65 of the report, item 16, it is mentioned:

> "Under Section 100 of the Patents Act, 1970, it is stated that the Central Government and any person authorised in writing by it, may use a patented invention for the purposes of the Government. Use for the purpose of the Government has been defined in Section 99 of the said Act to include the making, using, exercising or vending for the purposes of the Central Government, a State Government or a Government undertaking. Government should, therefore, under the powers vested in it, permit the public sector undertakings to use the inventions for the purpose of the Government. The effect of this will be that the mere fact that a patent has been filed or — patent has been granted will not debar public sector undertakings from manufacturing and distributing the products so patented. The Committee feels strongly that allowing the freedom to the public sector units to use desirable patents would not only constitute an exciting challenge to the scientists and technologists, to innovate and establish, production technologies, ordinarily forbidden to them by patent laws, but also would obviate payment of high royalties for really worthwhile patents."

This is a very important recommendation and I think, there should be hardly any difficulty in implementing it. I do not know whether this recommendation has been implemented or not. I would like the hon. Minister to

[Shri Dinesh Chandra Goswami]

clarify. If it has not been implemented. I would urge the Government to implement this recommendation as early as possible.

We know today that once our own indigenous doctors and scientists find out the medicines which match their brand name, these Corporations immediately go for another brand name. That is the position. Today we see newspaper advertisements flooded with different brand names and unfortunately, it seems that there is a section of the medical profession in our country itself, which has a tendency to support a foreign brand if it is there. The Government should also try to impress upon the medical profession as to whether it is desirable to have so much reliance on these foreign brands. There are many cases where a medicine with foreign brand or label having the same effectiveness to an indigenous medicine, is not encouraged by our own medical profession. We should try to encourage the indigenous production

I do not, for a moment, doubt the sincerity of the Government as Shri Dinen Bhattacharyya has done. If Shri Bhattacharyya feels that Government has no intention and that Government will never implement the recommendations, and if he is so sure, then what is the necessity of a debate of this nature? A debate of this nature is only to highlight the Members' feelings as to the recommendations and to give a direction to the Government to the way in which the House wants the Government to move. But if you have so much doubt, you are merely wasting your time and time of the House by projecting your views.

Now, what I feel is that the Government also—I request the Minister who has taken up this portfolio recently—should see very clearly as to whether these officials or persons who are charged with the implementation of these objectives are guiding the activities of the Government in the correct path. I was given a certain piece of information—I do not know how far it is correct. I do not know these tachnicabilities but I was told that so far as the HAL is concerned, a technology was given by the American Home Products to float a company for production of ampicillin and an intermediate stage for production of ampicillin, is 6 APA. Now, the Research and Development wing of HAL worked out a purity of 6APA. Subsequently, this purity was lowered to suit the purity of 6APA of that American concern. Now, I do not know whether this is true or not. If this allegation is true, it is undoubtedly a serious matter. We do not want and the Government undoubtedly do not want to go in this direction. Therefore, if it is so, I will like him to look into it. If it is so, then somebody is trying to mislead or trying to create an obstruction in the path of the objectives in which government want to go. As I said, this is a technical matter of which I have no knowledge. Because it has been passed on to me, I am passing it on to the Hon'ble Minister and I hope he will look into it.

The other aspect—which unfortunately the entire debate has not highlighted in importance is that apart from the recommendations regarding take-over and brand names and so on there are many recommendations which are extremely essential for the common man of this country. There are recommendations that medicines for common diseases should be made available to the rural population as easily and at a lower price as possible. What steps the Government have taken for the implementation of these recommendations, I would like the Minister to give some indication here, if not to-day, at least in the near future.

There is another aspect to which I want to draw the attention of the Ministry. The foreign corporations

to-day are not only working in the field of basic drugs—I can understand their working in some cases even in the drug industry because that is for the health of the nation, but, I do not know why we should permit them to work in the field of cosmetics and luxury goods. I do not know why we should permit these multi national corporations to invest a very minimum quantum of money in cosmetics and earn a maximum amount of profit. After all, this, I think, goes against the basic objective or the policies of the Government. What is the view of the Government so far as this matter is concerned? On the floor of the House, a number of times it has been announced that the Government's view is very clear.... (*Interruptions*). I do not know whether Shrimati Roza Deshpande is supporting me or not. hon. Member may be fond of cosmetics. It may affect the hon. Member but I do not want the pharmaceutical concerns to come in cosmetic field. I can understand Government may have some hesitancy so far as the drug industry is concerned, to take some bold measures, because, after all such measures affect the health of the population and it may not be desirable. But so far as cosmetics are concerned, even if some ladies begin to look ugly, I think heavens will not fall....

AN HON. MEMBER: No, no.

SHRI DINESH CHANDRA GOSWAMI: At least to us who are married heavens will not fall. Therefore, why could not the Gavernment take a firm decision in this field? I think the Minister should apply his mind to the various suggestions that have come from the Members, not from a doctrinaire angle but from the realities of the situation and I hope he will touch some of the points which have been raised, keeping in view the feelings of the House.

SHRIMATI ROZA DESHPANDE (Bombay Central): The demand for nationalization of the multi-national corporations, problems of the drug industry, the slogan given by the workers for nationalisation of the drug industry—these have become rather a chewing gum. Everybody is saying it.

Government also say it, 'We do understand, we do sympathise with all that.', but nothing is being done. I do not know whether the Hathi Committee, as Mr. Malaviya said, has taken a doctrinaire approach. Then, ultimately, Hathi Committee report would turn into a Bhagwad Gita which we will open every morning and say that this is the recommendation we are trying to do, this is another recommendation we are trying to implement and, nothing is implemented. Why, Sir, at all was this demand for take-over of multi-national corporations given?

For the last so many years all the masses in this country who can afford to take medicines have all been accustomed to Pfizer, Glaxo, Sandoz, Solemon and all that. Our mnid has been cultivated in such a manner that people always prefer drugs produced by these companies. Our drug industry has been dominated by them for the last so many years and that is why if we want lower price drugs, we have to nationalise the companies, otherwise there is no alternative But you will not be able to do it. There are ways and means to fight out but it is very difficult. It will be a very very slow process and these multinationalsare capable of fighting our Indian industry as well as our public sector. For instance there is a drug-doxicyclin. In PL & Ranbaxy have the know-how of that drug. Why did you permit Pfizer to produce it? What was the necessity? On the one side you say that we will be able to fight out these multi-nationals by developing our public sector, going into formulations which you doled. You are producing bulk drugs. They are very well utilising your bulk drugs and then giving you all kinds of formulations with a little of vanilla and good syrup putting some water and saying it has vitamins—B12, A.D., A. They

[Shrimati Roza Deshpande]

create all kinds of vitamins and give the same to patients. Doctors are also contributing to this. We know our medical profession is also contributing to this. But you cannot protect your own public sector. Why did you give the terms? Is it just to oblige West Bengal and to give some jobs to some people? No. You are obliging the multi-nationals by allowing them to produce this doxicyclin while you have the know-how. Please answer this.

This Committee has said about c.o.b licence and permission for the imports. There are egalitarians. Can't you stop this. You can. But when there is a will, there is a way There is no will in you to do it. I do not know why? I do not say that our officers are corrupt and this and that. We have in your Ministry also very dedicated intelligent officers. If you ask them to implement certain recommendations of this Committee, they will surely do it. I am confident of it. But the thing is that the Ministry and the Minister and the Cabinet—I do not know who are involved in this policy making,—should tell them to implement. Otherwise, I tell you that this whole drug industry (we may say. how much money they export—it may be very little amount comparatively) will remain dominated They have the capacity to defeat our public sector They buy your bulk drugs and import these bulk drugs Innumerable drugs are flooded in the market. Can't we stop them? We can.

18.00 hrs.

Can't we bring down the prices? If you allow them to be on the soil, we will not be able to bring down the prices. Unless you develop your own sector or your own public sector and at the same time take over certain foreign concerns, you will not be able to achieve the objectives. May I make a suggestion? Take over at least seven of them. At least in respect of these seven multi-national companies, take them over, and see what the change is. The Hathi Committee has suggested that there should be generic names for 13 drugs. You suggest that you will do it for 6. Why six? Why don't you go into it speedily when the whole Hathi Committee has come out with very good suggestions? Why does not the Government move speedily? If you are going to go in a slow manner, and a slow process, let us know how you are going to reach the goal. Ultimately our goal is socialism, I know it. But you are going by this route, by bringing out laws such as bonus laws and such like things. If you are going by the same way, I do not know how you are going to help this country and how you are going to bring socialism. Merely giving slogans will not do. Slogan will not cure the disease of the poorest man in the country. Millions of people are suffering from various diseases. What is necessary is this. These multinationals control 70 per cent of your sales turnover of Rs. 370 crores in this country. The question is whether you are going to take them over or not. Are you going to take certain steps which are going to curtail their movement of cheating the people of this country? That is what we want to know.

Secondly, going into certain aspects of the Indian industry, I would like to say something. There are certain businessmen in this country who get licences, they have something like 20 or 30 firms, they go on importing things and they are all fake ones. In Madhya Pradesh they found out that there were some 321 companies but in the names of a few people, they were importing. I don't know the exact amount but lakhs and lakhs rupees worth of drugs were involved. What they were doing in this. They were selling the licences in the blackmarket or selling the material in the blackmarket. Are you doing

anything? A committee was appointed. The Pahuja Committee was appointed to investigate into this matter. But nothing happened. The report had come and I don't know whether these people were arrested or not and whether anything was *done or not. Don't go on* blindly supporting the Indian sector and the Indian manufacturers. Go into the root cause. Investigate who the manufacturers are, who are the manufacturing firms. Then alone you will be able to do anything. Again I would request the Minister to go into the functioning of the public sector, to go into the licensing policy of this ministry, how licences are given, for what licences are given, what are the drugs imported, whether we can produce them or not, and then go into formulations. Our own country's public sector should go into formulations and then at the same time we must think of taking over all these multinational companies. And I request the Minister to give us clear-cut words. 'We are thinking, we will think, we shall think'—such kinds of replies will not do. Please give us clear-cut replies.

So, this is the thing which we want and I hope the hon. Minister will give us a direct reply.

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI P. C. SETHI): I am most grateful to the hon. Members who have participated in the debate and from all sections almost 9 hon. members have participated and they have obviously taken great deal of pains in not only putting their views here, but. I am sure they have also deeply studied the Hathi Committee's recommendations and some of them who spoke were also members of the Hathi Committee.

DR RANEN SEN (Barasat): No Member who was a member of the Hathi Committee can speak on this subject in this debate.

SHRI P. C. SETHI: Anyway, this is such a critical area of our national policy that I can very well understand the anxiety and concern of the hon. Members. The drug industry has taken great strides in the past. The figures would reveal that in 1948 the value of the drugs and pharmaceuticals manufactured was of the order of Rs. 11 crores. But, to-day, the figure stands at Rs. 380-400 crores. In 1964, the number of manufacturing drugs and pharmaceuticals was 1200 whereas now it runs into over 2,500 crores out of which 116 are in the organised sector. Investment figure was Rs. 225 crores in 1974. Therefore, we must recognise the fact that from 1948 onwards the drug industry has made strides in our country, the production has increased; the turnover has increased; the number of companies has increased. But, the fact remains, as has been pointed out by the first speaker, Shri Ramavatar Shastri, that it is not 25 per cent but only 20 per cent of the people who are served by the medicines, as the production stands to-day.

If you look at the *per capita* consumption it will come to Rs. 6 per annum per person. So, it is from this point of view that we have to look into this question. This is not an area where we would like to take risks about the health of our people. The drug industry has to proceed *in* a manner where it will have to be developed at a much greater and faster speed than what has been done till now.

It is during the course of the Fifth Plan period that it is envisaged that the overall production would reach a figure of Rs. 700 crores. It is expected that the public sector will invest about Rs. 70-80 crores and 200 crores will come from the private sector. As the growth rate has shown in the last two years, I am afraid, the capital formation in the private sector would have to come from them only. From the private sector it is not going to

[Shri P. C. Sethi]

come as has been envisaged. Therefore, it is in this light that I would request the hon. Members to consider the entire report and its implications. The Hathi Committee's recommendations, I agree, were received by Government in the month of April, 1975 and I must pay my personal tribute to Shri Hathi and his colleagues for the thorough and comprehensive manner in which they have accomplished their job and for the volume of analytical data they have produced and the comprehensive sets of recommendations for the future development of the industry. There is no doubt that the Hathi Committee members have done a very stupendous task. I also would say that they have produced a very good report giving the background, developmental history of the drug industry and by giving their recommendations on various subjects.

Now, when we go through the report chapter by chapter, we come to the conclusion that the Hathi Committeen *in toto* has given about 226 recommendations and out of these 226 recommendations, I would like to assure the House that the broad principles which should govern our future approach to this industry would be followed I would briefly like to state them in a couple of lines. It is our earnest intention to ensure that there would be progressively abundance of drugs availability in the country to meet the health hazards of our people; it is also our intention progressively to become self-sufficient in the production of drugs in the course of years so as to reduce the volume of imports. That is what the hon. Members also stressed. It is also our intention to develop self-reliance in drugs technology and to avoid purchasing of knowhow from abroad except in areas where it becomes absolutely necessary.

We would also like to make the drugs available both to the hospitals and the common man at a reasonable price and for this purpose, continuance of price control upto a point is inevitable.

While keeping a careful watch on the prices, it would also be our duty to ensure that producers get a fair deal and they get a reasonable return on the capital invested so that the incentive for a further investment remains.

The Hathi Committee itself have stressed this point. They have said that in the case of formulations, the return should be anywhere from 8 to 13 per cent on turn-over and in the case of bulk drugs, it should be 12 to 14 per cent on capital. This is their basic recommendation. Therefore, this will also have to be kept in view.

In working out returns to investors, we would like to encourage investment in bulk production rather than purely on formulations. This is being implemented. We would also like to give special incentives to firms engaged in research and development, because the Hathi Committee has rightly emphasised that unless research and development work in our country in this area goes ahead, we would not be able to do much and we would be continuously depending on others.

We would give the public sector a leadership role in the industry. I would like to point out that we have already initiated action as follows:

		Rs.
IDPL :	Expansion of synthetic drugs Plant, Hyderabad, 2nd phase.	21.79 crores
	Nicotinamide plant in Bihar	8·58 ,,
	New Formulation unit at Gurgaon	8·10 ,,
	Antibiotics Plant, Expansion, Rishikesh	15·69 ,,
	S.D.P. III phase	9·70 ,,
	Modernisation and expansion Smith Stanistreet (which we have recently taken over)	15·40 ,,
HAL :	Penicillin Expansion	2·92 ,,
	Streptomycin expansion	2·91 ,,
	Penicillin II plant	5·80 ,,
	Semi Synthetic Penicillins	5·47 ,,
	Erythromycin plant	4·03 ,,
	Aminoglycosidic Antibiotics expansion	1·75 ,,
	Formulation Plant	6·00 ,,
	Industrial enzymes	1·15 ,,
	Vitamin 'C' expansion	1·20 ,,

Therefore, the leadership role is being given to the public sector. It is also decided that the public sector will not only produce bulk drugs which go to formulators, whether they are in the national sector or with the multi-nationals, but upto 60 per cent, they must themselves formulate the basic drugs which they are doing, and the rest should go to others.

The Hathi Committee has very rightly recommended that Government should take the initiative in organising drug production so as to ensure adequate availability of the essential drugs in the country. Production of drugs, therefore, cannot be left to the whims and fancies of individual producers who will make their investments and apply for licences based on profitability considerations. Therefore, the licensing policy will have to be guided by this recommendation which the Committee have given in this direction. A national plan for adequate production of all essential drugs will, therefore, have to be prepared and it will be Government's endeavour to ensure that item by item drug production under this national plan will be implemented by all sectors. Government have already circulated lists of bulk drugs, where investment will be encouraged. We have already moved in this line. I have also shown what the public sector has to do in this connection.

As far as reducing the foreign area is concerned, hon. members have stressed that the Hathi Committee's majority recommendation is that the multi-nationals should be taken over forthwith or nationalised. At the same time, the unanimous recommendation of the Committee, which Shri Goswami and other hon. members referred to, is that they should be taken out of appendix I. If FERA is applied, their equity comes down to 76 per cent, but the Hathi Committee have unanimously recommended that the equity should be brought down to 40 per cent and later on steps should be taken to further reduce it to 26 per cent.

As far as expansion is concerned, I have already stated that expansion to multi-nationals would be given only under the conditions which have been recommended by the Hathi Committee. When they are given expansion, there is already a dilution formula according to which the expansion would be given. According to this formula, if the company is holding more than 75 per cent equity, they will have to dilute the total investment to the extent of 40 per cent. If they are over fifty per cent, the formula was that they would have to dilute to the extent of 33 and one-third per cent; in some cases 25 per cent and so on. That dilution formula applies when they came with an expansion application which would be scrutinised according to the guidelines of the Hathi

[Shri P. C. Sethi]

Committee. What the Hathi Committee have said clearly and unanimously is that apart from whatever you do in respect of dilution, when they come for expansion their equity should be brought down to 40 per cent forthwith. We are examining seriously not only that recommendation but other recommendations also; there are four or five important recommendations which are still under consideration and I can assure the House that in the light of the debate that has taken place, we shall take a full and comprehensive view of these recommendations; we would be able to come to some definite conclusions not very long from now; we may take one or two months to decide the whole question.

Hathi Committee's recommendation with regard to the pricing policy is that in the case of basic drugs the return should be 12—14 per cent on capital and in the case of formulations, 8—13 per cent on turn-over. We have worked it out in terms of mark-ups; this would give us a range of 60 mark-up to 75 mark-up. Unfortunately the position at present is that most of the non-essential drugs like tonics or vitamines and other things have a markup of 100 to 150 per cent or 200 per cent and they are essentially consumed by elite population. According to the recommendations of the Hathi Committee there is scope for reduction of the price in those categories where the markups are high. I should like to point out to the hon. Members that there are many essential and household drugs where the existing markup is 5. 6, 10, 20 or 25 and if we apply Hathi Committee's formula—the expectation of the House is that Hathi Committee's recommendations should be implemented as they are—their prices would go up. The recommendation of the Hathi Committee is if you want companies to invest in basic drugs and other drugs, that much margin should be given. This the biggest dilemma. We do not want that the prices of essential drugs should go up. Our respected colleague, Mr. Mukerjee gave some figures to show that drugs are costly in India. I have a comparative chart here showing the prices of certain preparations. For example Ciba Geigy's enteroviaform cost Rs. 1.52 in 1975 in India compared to Rs. 14.87 in West Germany. Rs. 4.78 in Phillippines and Rs. 5 in Italy; Sandoz Intestopan Fort capsules cost Rs. 53.60 in India compared to Rs. 106.40 in West Germany, 47.39 in Philippines and 26.30 in Italy. Boots Insulin plain, ten million vial cost Rs. 9.10 in India, 29.40 in West Germany and 11.30 in Italy; Bayer Resochin cost Rs. 16.64 in India compared to 93.90 in West Germany, Pfizer's PAS granules, ten grammes cost 11.87 in India compared to 58.10 in West Germany. This clearly indicates that what the present policy is. Right from 1962 the Government of India had been following a policy of pegging prices at the 1962 level because control of drugs is in existence from 1962. It was revised in 1970. If there was any question of price rise each individual company puts forward the merits of its proposal before the Bureau of Industrial Costs and Prices and only after proper examination, after referring it to the parent ministry—we also consult the Health Ministry—and only if there is a genuine case, price rise is allowed. Otherwise, generally the prices have been pegged at the 1962 level; except in certain genuine cases, no rise had been allowed.

Now, it is from this point of view that we should look at it. If the Hathi Committee's formula is applied to them, the prices are likely to go up, which the hon. Members of this House would not like. In Afghanistan, they have found that 30 to 34 drugs are most essential. Similarly out of 117 we are trying to find out which are essential drugs and so far as these essential drugs are concerned. the prices would not go up. In so far as the other drugs are concerned, which are over 150 per cent mark-up their prices should come down.

Sir, we have not come to a final conclusion. We have got to work out the details and after working out the details we will reach a final decision, in regard to the acceptance of the Hathi Committee's recommendations. The recommendations of the Hathi Committee's report may not be completely acceptable on account of its implications with regard to the price.

With regard to brand names, I would like to point out that the hon. Member Shri Shashi Bhushan has said that in Pakistan removal of brand names was tried out. It is our report —I do not say it authentically—It was tried there and it failed and the brand names are coming back. Even in the socialist countries like U.S.S.R. the brand names are coming back. As far as the question of brand names is concerned, Hathi Committee has made a cautious approach. They have selected onyl 13 drugs in which cases brand names should go. They have also said that the approach should be very cautious. We must start somewhere. So, on this issue, we went to Development Council and there was some recommendation from the Health Ministry in this regard. In the Consultative Committee attached to the Ministry of Chemicals and Fertilizers, in which Shrimati Roza Deshpande was also a member, we have discussed.

The Members of the Consultative Committee were all agreed. If the Health Ministry recommended six drugs for examination for this purpose, let us start with the examination of those six drugs. We said, as far as our Ministry is concerned, we would forward this to the Cabinet Sub-Committee with the recommendation that generic names should be used for these six drugs. I would like to repeat the drugs which were agreed to: They are: Ferrous sulphate, Aspirin (Acetyl Salicylic acid), Chlorpromazine, Analgin, Piperazine and a combination of INH-Thiacetazone. Now, with regard to these six drugs, we are going to recommend that the generic names should be used and the brand name must go. With regard to the removal of brand names, there is a rider and the rider is that since the brand names are removed, price control should also go. Therefore, hon. Members should know that if this recommendation is finally accepted, then these drugs brand names would go along with the price control.

SHRI M. RAM GOPAL REDDY (Nizamabad): Why should it go?

SHRI P. C. SETHI: Because that is the recommendation. Then ultimately it boils down to this that the Hathi Committee's report is not a complete recommendation of the type that it should be accepted *in toto*. The hon. Members are aware though the Hathi Committee has done a commendable job, still it requires some examination somewhere. Therefore, the generic names with regard to these six drugs should be adopted. I think this will be a good beginning.

DR. RANEN SEN: Will he point out which is that recommendation which says that as soon as the brand names go price control should also go?

SHRI P. C. SETHI: You were one of the members of the committee and your memory may be fresher. But I will try to locate it and tell you.

About take-over, as I said, we are at the moment having an exercise in regard to the unanimous recommendation about dilution of equity. Taking over is a very complex question and is still under consideration. As pointed out by Shri Shashi Bhushan, the fears of Shri Dinen Bhattacharyya that this government will never do it are unfounded. We have done it in many cases before and we can do it. But I would not indulge in bravado just because a challenge is being thrown.

[Shri P. C. Sethi]

I have got the recommendation which Dr. Ranen Sen wanted. I am quoting from page 187 of the report:

> "13. The committee has come to the conclusion that more selectivity in the system of price regulation with a view to ensuring fair prices in respect of drugs and formulations would be desirable rather than on all drugs and formulations irrespective of their importance. As a first step, the committee recommends that the formulations based on 13 drugs as identified by the committee for the purpose of generic names usage should be free from price regulation.—(Chapter VIII Para 34)".

Unfortunately, the hon. member has not done this exercise.

Shrimati Roza Deshpande asked about doxycycline. It is not correct to say that IDPL has got the knowhow for manufacturing doxycycline. It is negotiating with Italians for the technology. Ranbaxy are also negotiating with the Americans. Hathi Committee has recommended that multinationals should be made to produce bulk drugs. If this recommendation is to be implemented, licences will have to be issued to multi-nationals till we take a decision about them. The consumption of doxycycline is likely to rise very high and we would not like to put all our eggs in one basket. It would be in the interests of the consumer and the country to spread it out.

18.30 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, January 23, 1976/Magha 3, 1897 (Saka).

G.M.G I.P.N.D.—M.—2197 —J.C. 3460—21-2-76—978